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SPEECHES

OF

SENATOR RHETT AND SENATOR CLEMENS
"S.C." ?

IN CONTROVERSY,

Delivered in the Senate of the United States, on the 27th and 28th of February, 1852.

Washington
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SPEECHES

IN SENATE, FEBRUARY 27, 1852.

The Senate proceeded to the consideration of the Compromise resolutions submitted by Mr. FOOTE, of Mississippi.

Mr. RHETT addressed the Senate as follows:

Mr. PRESIDENT, I probably owe an apology to the Senate—at least I think it due to myself to state, that the reason why I have not responded sooner to the animadversions of the Senator from Alabama [Mr. CLEMENS] and those (in a milder strain) of the Senator from Michigan [Mr. CASS] was, that I was not in the city of Washington at the time they were uttered in the Senate; nor did I know of the personalities which the Senator from Alabama had used towards me until just on the eve of my departure from home to return to Washington. After I had been here for several days I read them, and I have since been watching the current of business under the hope that the resolution upon which these animadversions were made would come up for consideration, and that I could then address myself with propriety to the Senate upon the animadversions of the Senator from Alabama; but after waiting some ten days or a fortnight, I find that I might wait much longer in vain; and therefore the only course left to me is to throw myself, as I now do, to make my response, upon the indulgence of the Senate.

In order that the Senate may appreciate my position, I will read an extract from the speech delivered by the Senator from Alabama. I had hoped that when the altercation between the late Senator from Mississippi [Mr. FOOTE] and myself had closed, that it would be an end, so far as I was concerned, of any contention on this floor. I deprecate all such contention from the bottom of my heart. I have been for twenty years in legislative bodies, and have so demeaned myself, both in my personal and private intercourse with other gentlemen, as well as in my official intercourse in my representative capacity, as to bring myself in serious conflict with none. But now, in consequence of having announced upon the floor of the Senate opinions which I sincerely and conscientiously en-

ertain, in the discharge of my public duty, I find myself the subject of vituperation, assault, and calumny. There is but one course left for me—I must defend myself and my position.

The Senator from Alabama, in the speech to which I refer, used the following words:

“The scene we witnessed the other day during the delivery by the Senator from South Carolina [Mr. RHETT] of his harangue, surprised no one here; but it would have been a matter of profound astonishment to the country if they could have been spectators of what occurred. There were the Senator from Massachusetts, [Mr. SUMNER,] the Senator from Ohio, [Mr. CHASE,] and the Senator from New Hampshire, [Mr. HALE,] gathered about him in a sort of fraternal ring, while the countenance of the Senator from New York [Mr. SEWARD] was radiant with gladness. Thus was exhibited the spectacle of an extreme southern Senator denouncing, in no measured terms, the Government of his country, and declaring himself a disunionist, on account of alleged wrongs heaped upon him, with four as rabid abolitionists as this land contains, drinking in his words with eager approbation—applauding, cheering, and encouraging him. All this was nothing new to us, however strange it may appear to the plain and honest yeomanry of the country. Nor was it, when calmly considered, at all unnatural—

“‘A fellow feeling makes us wondrous kind.’

“There is a sympathy in treason as well as in knavery; and those who are earnestly striving to accomplish the same end need not quarrel about the separate means employed.”

This extract, and others that I shall read to the Senate, are taken from the speech printed by the Senator himself, and circulated under his frank, I presume, to the people of Alabama. Here is a charge on myself of knavery and treason. He says, there is a sympathy in treason as well as in knavery, and that that sympathy exists between myself and those four Senators on this floor. The course which I propose to pursue on this occasion before the Senate is that which is very common in

our courts of justice—to discredit the witness. I mean to show that the Senator from Alabama stands in no such high moral position as to give any force to his arraignment of me or of any other man for the want of integrity or fidelity.

Such are his words, and I will now show the character of the witness. The assertion that the Senators he has mentioned were around me, “applauding and cheering” me, is entirely destitute of truth. Every Senator on this floor can testify that no such transaction took place in the Senate. Did any Senator on this floor—did the Senator from Ohio, the Senator from Massachusetts, or the Senator from New York—*applaud* or *cheer* me? Will the Senator from Massachusetts rise up and answer before the Senate, whether he applauded or cheered me during the time I was speaking? I yield him the floor to hear his reply.

Mr. SUMNER. Mr. President, when the Senator from South Carolina addressed the Senate on the occasion to which he now refers, I occupied the seat belonging to me upon this floor. I listened to him throughout his remarks with attention. I was interested by the manner and the ability of his remarks, but since he now appeals to me, I am constrained to add that, as a lover of the Union, I heard him not only without approbation, expressed or felt, but with entire dissent.

Mr. RHETT. Will the honorable Senator from Ohio state to the Senate whether he applauded or cheered me?

Mr. CHASE. It so happens, Mr. President, that I occupy in this chamber the seat next but one to that of the honorable Senator from South Carolina. I did not leave my seat, but paid him the respect of attentively listening to the remarks he addressed to the Senate. I am not aware, sir, that I so far forgot the decencies proper to this chamber as to applaud or to give any special sign of disapproval of any sentiment which the Senator uttered. I will say, however, now that, so far as that Senator advocates that doctrine of State rights which Jefferson and Madison inculcated, I agree with him; but so far as he advocates disunion, I dissent from him—utterly, always, everywhere. And I will add further, sir, that when the Senator from Alabama inculcates reverence for the Constitution and attachment for the Union, I agree with him, as I do with every man who professes like sentiments; but when the Senator from Alabama promulgates the doctrine of consolidation, which the patriarchs of the Democratic school have always rejected, I dissent from him, and repel the doctrine.

Mr. RHETT. Mr. President, I will go no further on this point. Every Senator knows what is the truth in regard to this matter. There was not one single sign of applause or cheering in this body, yet the Senator asserts that these four Senators applauded, cheered, and encouraged me; and he says it was no extraordinary thing at all—nothing new—that the Senate of the United States, consisting of representatives of the States, grave governors and judges of the land, that such men who have gone through a probation of public service in all the States, when they are here gathered together, should applaud and cheer each other on this floor in the course of their observations. Such a thing has never disgraced the Senate. Therefore I leave the Senate to determine, and I leave the country to determine, in the very commencement of my re-

ply to that Senator, how far he is fit to stand up here and arraign others for a want of integrity, truthfulness, or consistency.

There was not only no foundation, no fact to support this charge, but the reason he assigns is equally without foundation. His reason was, that there was a sympathy between these gentlemen and myself on the subject of disunion. That is his assertion; that is what he has spread abroad and sent into Alabama and the southern States. Sir, you have heard what these Senators have said. The Senator from Alabama himself has heard them express on this floor their opinions concerning the Union. I myself have heard the Senator from Ohio and the Senator from New York, (who, it is said, was also one of those who applauded and cheered me,) as every other Senator has heard them on this floor, speak in the most devoted terms of their adherence and attachment to the Union, and deprecate its dissolution as the greatest of calamities; and the Senator from Alabama rises up, and not only asserts the fact that they applauded and cheered me on this floor for declarations of hostility to the Union, but that the reason for their applause and cheers was a sympathetic accordance of opinion between us on this subject. Sir, the charge of any sympathy between us on the point of disunion is as baseless as the facts by which he attempts to prove it. On the contrary, these Senators agree with him in his unionism. Their sympathies, if any exist, are with him in his new-born zeal for the preservation of the Union. They are his allies, not mine; and by his course, is helping on the consummation of their policy. I suppose I might stop here, so far as I am personally concerned; but the cause of the South requires, I think, that I should go on, and show the inconsistencies of the Senator from Alabama. I will show that he occupied exactly the ground I now occupy, and which many I represent support. If he has abandoned it, and now takes directly opposite ground, his censure or aspersions can harm no one. His credibility as a witness, his authority for evil, can affect neither me nor any other man on or off of this floor. I propose to show what kind of a man he is from his own speeches and his own acts.

There is a practice of the English bar which I have seen used in our own courts with very good effect. Before the proofs are brought forward, it is usual for the lawyer to state what he intends to prove, in order that the minds of the court and jury may be brought to those important points which he deems material to the issue. Now I will state to the Senate what I propose to prove by the words of the Senator from Alabama. I do not mean to arraign him; he shall arraign himself; I do not mean to convict him; he shall convict himself; and whatever evil consequences occur to him in the estimation of others, it shall be the work of his own hands. If he shall commit political or moral suicide, his own hand shall do the deed.

The Senator from Alabama, during the last Congress, delivered various speeches on the subject of southern slavery:

1. On his resolution of the 27th of December calling for information as to California, he takes the position that for Congress to admit California as a State, with the clause in her constitution prohibiting slavery, was the passage by Congress of the Wilmot proviso in a different form, and that in doing so, Congress would violate all precedent

Mr. CLEMENS. What is the volume from which you read?

Mr. RILEY. It is all taken from the Congressional Globe. I shall read the extracts themselves directly. If he will turn to the dates he will find them, or I will send him my extracts, as I have them all written down.

2. On the 10th of January, in his speech on the Vermont resolutions, advocating resistance by the South to the admission of California as the first aggression, he contends that we cannot yield one inch; shows that this would not only be impolitic, bringing desolation and death to the South, but infamous; eschews prudence, treats charges of disunion with contempt, and finally depicts two classes of traitors existing, the abolitionists and the submissionists in the South.

3. On the 11th of February, in his speech on the petition presented by Mr. HALE to dissolve the Union, he asserts that between disunion and submission of the South to the admission of California, the South would take the former; and argues that, in this event, it will be the North, not the South, which will dissolve the Union by destroying the Constitution.

4. On the 29th of February, in his speech delivered on the President's message transmitting to the Senate the constitution of California, he denounces Mr. CLAY's resolutions; argues at length against the constitutionality of admitting California into the Union; denounces her admission as the consummation of a drama of *fraud* and *trickery*; contends that the North gets every thing by Mr. CLAY's proposed Compromise, and the South loses all; prefers the Wilmot proviso direct; denounces all compromises upon the subject; and replies to the pictures of war and blood drawn by Messrs. CLAY and CASS, denying that they have any foundation in the probable course of things; but if realized, the South is not responsible, and should not yield on that account; distinctly indicates disunion as "the sharp and severe remedy;" descants on Washington's Farewell Address, and contends that he would, if alive, sanction his course, and go with the South in resistance.

5. On the 8th of May he attacks the report of the Committee of Thirteen, and assails Mr. MANGUM; contends that there is no room for liberality in the construction of the Constitution, and that it cannot be compromised away.

7. On the 16th of May he arraigns Mr. FOOTE for inconsistency in supporting the report of the Committee of Thirteen, which he said was only an imbodiment of Mr. CLAY's resolutions; denounces the Compromise as "a shameless surrender;" descants upon the "outrage" of the dismemberment of Texas; and treats with disrespect and contempt the counsel that we should take the Compromise as "the best we could get."

8. On the 21st of May he replies to Mr. FOOTE's charge of being in association with abolitionists, and shows that their opposition to the bill is for contrary reasons.

9. On the 13th of August he protests against the passage of the bill admitting California; repeats his position as being against the constitutionality of the bill; declares that the States are sovereign; advocates secession, and declares his allegiance to Alabama, intimating that those who support the bill are traitors to the South, and would sell their souls to Satan, and betray the Saviour himself, if

he were to come again on earth, for half the money which Judas obtained.

Such were the positions taken by Mr. JERRY CLEMENS, a Senator from Alabama, in the Senate of the United States, in the year of our Lord 1850. But in the year 1851, in the month of December, Mr. JERRY CLEMENS, according to the speech he lately delivered, is an entirely different man, and exhibits an entirely new character. In the former year he is a State rights resistance man, in the latter he is a consolidation submissionist; in the former year he denounces the Compromise as unconstitutional and unendurable by the South—in the latter, he defends it as constitutional and the source of great blessings to the country; in the former he denounced the submissionist to the Compromise as a traitor—in the latter, he becomes one himself, and denounces the resistance men as traitors; in the former year, he descants on a dissolution of the Union as the "sharp and severe remedy"—in the latter, he praises the Union, just as Mr. CASS and Mr. CLAY had done before him; in the former year, he treated with just scorn and contempt the pictures of blood and wo which were then portrayed as the consequence of the disunion policy—in the next year, he becomes a picture-maker in the same line himself; in the former year, he declares the States sovereign—in the latter, that they are not sovereign; in the former year he declares that his allegiance is due to Alabama—in the latter, that no allegiance of his is due to her, for *she cannot punish treason*; in the former year, he supports secession—in the latter he denounces it; and crowns the whole by the assertion that Jefferson, the Virginia report and resolutions in 1798 and 1799, with Calhoun and McDuffie also, all denied the right of secession.

Now, the Senate is in possession of what I proposed to prove. This is but a synopsis of the positions of the Senator from Alabama, and a very imperfect synopsis. If the Senate will attend to the language I shall read, used by the Senator from Alabama, I think they will find, in the sequel, that I have not only not overstated them, but that I have not stated his inconsistency in the full force which his own words would portray. And if I make all this to appear, as I think I shall, will he not prove to be a very proper specimen of morality and honor, standing up in the Senate of the United States to arraign the conduct or principles of other Senators?

Now, Mr. President, for the extracts to which I have alluded. On the 20th of December—(you see, sir, he began very early. He could not wait till other Senators began. He began himself—foremost in his zeal for the interests and honor of the South)—on the 20th of December, before Mr. CLAY offered his resolutions, he came out in the Senate and offered a series of resolutions calling upon the President for information upon the following subjects: First, whether he had appointed a civil and military governor for California since March last; second, whether any agent had been sent out to California to assist in the formation of a State government; third, how the persons calling themselves delegates to the convention were elected, who fixed the qualifications of voters, and what those qualifications were; fourth, whether any census of the inhabitants of California had been taken, and by what law; and fifth, the instructions which were given by the government to the civil and military governor. On the 7th of January,

these resolutions came up for consideration in the Senate, and the Senator, in his remarks supporting their passage, said :

“My attention was called to the subject by the Governor of the State of Alabama. The people of that State believed that a fraud had been practised, and they called for information. What a farce it is to say you oppose, and still do the same things which the Wilmot proviso proposes to accomplish. Are we to be treated like sick children, who are induced to take the medicine offered them by giving the pill a coat of sugar,” &c.

See, sir, what a beautifully fine figure he uses for putting the Wilmot proviso upon the South by the admission of California with her constitution prohibiting slavery, instead of passing it directly in a territorial bill:

“You will not pass the Wilmot proviso, but you come here and pass the same principle which that proviso involves; and in doing so you violate all precedent since the establishment of the Government. And why will you do it? Will a single Senator get up and say, that he would vote for the admission of that State, were it not for the existence of slavery in the country? Is there one here who would be so reckless as to vote for the admission of California, were it not for the slavery question? I say it is a matter which we ought to know all about, and I intend to know all about it.”

Sir, that is pretty strong language—language which I heartily approve. Not being then in public life, and a mere spectator afar off, I was looking to the Senator from Alabama as one of our most brilliant leaders. To the great men of the South, especially to her Senators, the people of the South turned with intense anxiety to point the way to redemption, to honor, and to peace, and to him among the number.

Now, sir, on the 10th of January the Vermont resolutions came up. These resolutions covered the whole ground of the question of slavery, denouncing it in all parts of the country; and on these resolutions the Senator from Alabama early got the floor, and here is what he says:

“I wish to show my constituents that the declaration so often and so earnestly made, that the North does not intend to interfere with slavery where it exists, is entirely false, and intended only to deceive. The game has been played with some success heretofore, and I should consider myself very culpable if I did not now expose it. * * *

“The Senator from Ohio [Mr. CHASE] says that he is not to be deterred by menaces of disunion from pursuing the course he has marked out for himself. I have no wish to deter him. I want him and other northern men to come up boldly, and do what they tell us their constituents have demanded. * * * * *

“The South, Mr. President, disclaims the language of menace, but it is nevertheless due to all parties that her *deliberate* purposes should be known. We do not intend to stand still and have our throats cut because the butcher chooses to soothe us with the operation of honeyed words. You can deceive us no longer by the catch-words ‘conciliation and harmony.’ Nor can our voices be stilled by the fear of incurring the reproach of *imprudence*. I said the other day, and I say now, that *time for prudential action has gone by*. It is this *prudence*,

of which we have heard so much, that has brought us to the situation in which we now are. It is this constant talk about *prudential action* which has induced the people of the North to believe that we do not intend to resist.

“There is a point at which prudence changes from a *virtue to a vice*, and it *often* happens that it is *used only* as another name for *cowardice*. It is not to be wondered at if our good brethren of the North have mistaken the one for the other, and have thus found courage to persist in a crusade which promised to be unattended with danger. I know not if they will thank me for undeceiving them, but it is my habit to deal plainly with all men; and I now *proclaim* that you have reached *the utmost limit to which you can go*. There is a line beyond which you must not pass. You have marched up to it, and now *cross it if you dare*.”

Sir, is not that bold and striking language—language worthy of a southern man contending for the great interests and the honor of the South? But he proceeds:

“I do not say this to intimidate. I do not believe it will have that effect. On the contrary, I believe with the Senator from South Carolina, [Mr. Calhoun,] that this movement *will run its course*, and end as all similar things have ended, in blood and tears. * * * He who cannot now trace out, step by step, each successive event of the future, has learned but little from the past history of mankind, and is ill fitted to be the law-giver of a nation. The North will not save the Union, and the South cannot, unless, indeed, we submit to indignities and wrongs of so degrading a character as would almost make our fathers ‘burst the cerements of the tomb,’ and come amongst us once more to *denounce* and *disown* the *degenerate descendants who had disgraced a glorious ancestry*. We know well what we have to expect; northern demands have assumed a form which it is impossible for us to misunderstand. First comes our exclusion from our territory; next, abolition in the District of Columbia—in the forts, arsenals, dock-yards, &c.; then, the prohibition of the slave trade between the States; and finally, total abolition. These results are just as certain, unless the first step is firmly resisted, as that the sun will rise to-morrow, and the night will follow his going down. Heretofore it has been pretended that it was not the purpose of any considerable body at the North to interfere with slavery in the States; but this is an illusion which these resolutions have come in good time to dispel. I always knew it was false, but I did not expect to see the cloak so soon thrown aside. But even if it were true, I would still say I do not choose to place myself at your mercy. I will not exchange the fortifications which the Constitution has thrown around my rights for a frail reliance on your generosity or your forbearance. Concession never yet satisfied fanaticism, nor has the march of the wrong-doer ever been stayed by the supplications of the sufferer. Situated as we are, the impulse of manliness is the dictate of prudence. Our duty and our obvious policy alike demand that we should meet the danger on the threshold, and fall or conquer there. It is of no consequence by what name you choose to designate your aggression. When a principle is established, which must bring not only poverty, but desolation and death to the South, it

is immaterial whether you call it Abolition, Free-soil, or, to use the phrase of the Senator from Ohio, [Mr. CHASE,] free Democracy; the end is the same, and so should be the resistance also. When the fall of the out-works must follow the fall of the citadel, he is a poor commander who hesitates to risk everything in their defence. It is so with us; we cannot yield an inch of ground we now occupy, without compromising our safety, and, what is worse, incurring the reproach of eternal infamy. None but children can be imposed upon by the miserable delusion that abolition will pause in the midst of its successes. * * * *

"I have no threats to make; they are out of time and place. But I tell you, more in sorrow than in anger, not only that you *must pause*, but that you *must retrace your steps*. The guarantees of the Constitution must be respected and its promises held sacred, or the *most weak and timid man* in the State I represent would *scorn your alliance and shatter your confederacy*. Indeed, I do not know but what it is now too late, and that this Union, over which you have preached so much, and about which so many eloquent sentences have been penned, *is already at an end.*"

He considered the Union already at an end. That was upwards of twelve months ago; and yet he is standing here now, after all the measures he was denouncing are consummated, its ardent champion, and calling those who say it ought to be reformed or dissolved, bad men. I go on:

"Certainly, you have severed many of its strongest ties, and but little remains besides that *formal separation* which imbittered feelings must soon render *a necessity*. You did enough to dissolve it when you commenced organized robberies of our property—when you *murdered our citizens*"—

Yes, sir, that murder was before the Compromise. But now, since the Compromise, when another murder is perpetrated in the effort to enforce the fugitive slave law, where is his indignation? Who heard him say, in his late speech defending the Compromise and the execution of the fugitive slave law, anything charging the North with murders?

—"when you murdered our citizens, when you violated *every* constitutional obligation, and forgot *every* tie which bound us together as a people. Reserve, then, your denunciations of disunion for yourselves. * * * However much I may have loved the Union, I love the liberties of my native land far more; and you have taught me that they may become antagonists—that the existence of the one might be incompatible with the other."

He further says, "you have violated every constitutional obligation and forgotten every tie that binds us as a people;" and concludes his speech, which is admirable in its tone and substance, describing two classes of traitors, as follows:

"There are two classes of these who have brought this Government to the points at which we now stand—actuated by very different motives and principles, but equally culpable, and equally chargeable with the *crime of treason* to the land. The first is, that band of northern fanatics who, regardless of right, regardless of the Constitution, forgetful of all past obli-

gations, and of all moral and social ties, have excited and continued a wild and reckless warfare upon an institution of which they know nothing, and whose blessings or curses should have been alike indifferent to them. The second class is one for whom I have *less respect*, and of whom I always speak with *less patience*. It is *the timid, hesitating, shrinking portion in our own section of the Union, who are afraid to march up to the line—to meet the oppressor on the confines, and hurl him back the very moment his footsteps press forbidden ground.*"

At this time California was not yet in the Union, and the traitors in the South were the timid and shrinking who feared to resist. Are those less traitors who have submitted afterwards? Where is the Senator from Alabama now? He continues:

"A great poet, in the story of his visit to the infernal regions, gives a description of certain souls which aptly applies to them. He found them outside the gates of hell, and says:

"Here with those catiff angels they abide,
Who stood aloof in Heaven—to God untrue,
Yet wanting courage with his foes to side,
Heaven cast them forth, its beauty not to stain,
And hell refuses to receive them too—
From them no glory could the damned obtain."

Sir, according to this poetry, which he applies to others, if his present position is that of submission, he could have no glory with the damned. The infernal regions itself is not a fit place for him. Mark, Mr. President, I do not myself say that this is his position. I am using the Senator's own words. I will go on with his brave positions.

On the 11th of February—(for the Senator did not on one occasion only thus gallantly arraign those who were invading the rights of the South, or were disposed to surrender them—no, sir; again and again he couched his lance and dashed into the conflict; again and again he met the cheerings, not of submissionists and compromisers here with whom he now stands, but of all the true and brave men in the South who looked here for counsel and guidance)—on the 11th of February a debate arose on the question whether a petition should be received, presented by the Senator from New Hampshire, praying that the Union should be dissolved. The Senator from Alabama said, in reply to the avowals of the Senator from Ohio [Mr. CHASE] and other northern Senators:

"If Senators desire us to believe them sincere in their professions of love for the Union, that sincerity ought to be manifested by their conduct. Who has put the Union in danger? Not the South; for we have committed no aggressions, and propose to commit none. We are responsible only for making known our determination to *resist oppression, come from what quarter it may*. It is the North, and the North alone, who are the agitators. It is the North alone by whom this fair fabric has been shaken to its centre; and the allegation that there are southern disunionists, for the sake of disunion, is an unmitigated calumny, which shall not be pronounced in my hearing without being branded as it deserves. If you love the Union so much, cease your aggressions; pause in your efforts to destroy the Constitution, which is its only bond. You need be under no apprehensions for the Union, unless your conduct makes its destruction a duty. From the South you have nothing to fear, so long

as you do not attempt to perpetrate a wrong." [Remember, that all this time the Compromise is the matter under consideration."] "I do not misunderstand the policy which causes you to denounce those who defend the rights of the weaker section—who have dared to step between power and its victim—as factionists and disorganizers."

His conclusion is very fine—worthy of a southern Senator, basely assailed and maligned because he does his duty. It is as follows:

"For myself I have a duty before me, which can make no demands and impose no risks or annoyances that I am not ready to meet. Any one may pursue a pathway strewn with roses; it requires *men* to tread where thorns and brambles cumber the way. I expected to be denounced—to be misunderstood by some, and calumniated by others."

That is applicable to myself. I have expected that I would be calumniated as he himself expected to be, for defending the rights and interests of the South. I am sorry that I must use this language of the Senator as being so applicable to himself. He says:

"Much of this I cannot prevent; but when the charge is made here in my presence that I am a factionist, or that those who act with me are so, I shall repel it in terms that admit of no double meaning. Sir, I do not believe that there is a man in the entire South who desires disunion for itself. I hope, also, that there is not one who will suffer his rights to be invaded, or his honor tarnished, no matter what may be the cost of resistance. We mean, at all hazards, to defend the Constitution. If that is faction, we are guilty. If that is disunion, we are disunionists. If that is crime against the Republic, we have much to answer for."

"I have heard enough, Mr. President, of hypocritical whining about the Union from those who are its deadliest foes. If you want peace, you have only to say so. Let us alone. We ask no more. Or, if you will not do that, spare us your lamentations. If you are determined to destroy the Constitution, be men, own it publicly, and take the responsibility. Do not seek to shift it to our shoulders."

Well, sir, that is not all. On the 20th of February Mr. Clay's resolutions came up for consideration in the Senate, and here is the way he discourses about the constitutionality of the admission of California:

"If she has a right to form a Constitution and State government, her right to regulate the subject of slavery is unquestionable."

But he shows that, having no law of Congress authorizing her to form a Constitution and be a State, she was no State. He goes on as follows:

"No territorial government was ever established in California. The people who framed its constitution were not inhabitants, in the legal meaning of the word. They were composed of Indians, Mexicans, and a wild band of adventurers from every quarter of the globe, allured by the lust of gold to the shores of the Pacific, many of them without a permanent residence any where, and four-fifths of them without the remotest intention of remaining in the country whose organic law they undertook to establish."

"I do not speak without authority upon this

point. I have here the message of the Governor of California, who, it is to be presumed, is acquainted with the character of the population of which he is the chief. He describes them as follows:

"Already we have almost every variety of the human race among us—a heterogeneous mass of human beings, of every language and hue."

"Yet these persons, not citizens of the United States, owing no allegiance to this Government—not speaking our language even, or understanding our laws—undertake to erect a sovereign State out of *our* public domain; and with a cool impudence, which almost commands admiration, call upon us to sanction their action, and give validity to a most extraordinary usurpation."

* * * * *

"In California no census has been taken; there is no law fixing her boundaries; no law regulating the time, places, and manner of holding elections; no law to determine the qualifications of voters; no evidence and no reason to believe that she contains a free population equal to the present ratio of representation. A military governor, acting under the order of the President, usurped the power of Congress, directed the mode or manner of proceeding, substituted his will for law, and conducted to its final consummation a drama of *fraud and trickery—unparalleled* in the annals of any land. In other times the actors in these lawless scenes would have been held to a fearful reckoning; but the strength of party ties, and the usual shrinking of *ordinary* minds from the face of great dangers, have not only dissipated the sense of accountability, but left it a matter of doubt whether the Congress of the United States will not assume the act, and throw around its own shoulders a mantle more deadly than the poisoned shirt of Nessus. Instead of vindicating the majesty of the law, and trampling down a dangerous usurpation, we are merely deliberating whether temporary quiet may not be purchased by unmanly acquiescence. I say temporary quiet, because all experience has demonstrated that no weak expedient ever sufficed to cure a serious evil. In political as in physical illness, the cause must be removed before the disease can be eradicated. The admission of California will do nothing towards arresting the current of abolition aggressions. It will be regarded every where as an anti-slavery triumph—as one more work carried—from the shelter of which the assailing party may the more effectually annoy and harass the assailed. Yet the Senator from Kentucky says that we yield nothing by assenting to it. I quote his own language:

"Well, now, is there any concession in this resolution by either party to the other? I know that gentlemen who come from slaveholding States say the North gets all that it desires; but by whom does it get it? Does it get it by any action of Congress? If slavery be interdicted within the limits of California, has it been done by Congress? No, sir. That interdiction is imposed by California herself."

Now, hear his answer to Mr. CLAY:

"I answer, that *every thing is conceded by the admission of California*. The *whole matter* in controversy terminates at once. The North gets *all she ever asked*—gets it *by the action of Congress*, in direct violation of the great legal principle, that the wrong-doer shall not profit by his own wrong. Who among us does not know that agitation in the State legis-

latures and in the National Congress has prevented southern emigration to California, and placed the country in the power of those who have imposed this restriction? Who is there so blind as not to see that this has been the result of aggressions commenced here? And who does not feel that Congress is responsible for the fact that slavery has been excluded? Property is timid. The slaveholder would not carry his property there, with a threat hanging over him, that it was to be taken from him by operation of law the moment he landed. Agitation, then, in Congress—repeated declarations made every where—in State legislatures, in conventions, by the press, from the pulpit even—that slavery should be excluded from California by law, have deprived us of our constitutional rights as certainly and effectually as any positive enactment could have done. And we are now asked, not only to submit to it, but to accept it as a boon, and be very thankful for the outrage. Sir, I prefer the Wilmot proviso direct. I prefer it, because it is bolder, plainer, and more manly. The robber who meets me on the highway, and demands the surrender of my property, leaves me at least the option of a contest, and is entitled to far more respect than the assassin who lurks behind the corner and stabs in the dark. So, sir, he who deprives me of my legal rights by open means, is always entitled to higher respect than he who seeks to accomplish the same end by deception and trickery. I hold, that whatever opposition is due to the Wilmot proviso—whatever resistance it demands—is doubly due to this scheme of smuggling a sovereign State into the Union. Very probably this will be set down to the account of faction. It is the fashion so to denounce whatever is said by any southern man, which argues truth to his section of the Union.”

The Senator from Alabama is now in favor of the Compromise; but in this speech he showed what sort of things compromises have been to the South. He then denounced them all, and the proposed Compromise of Mr. CLAY in particular:

“The great error, Mr. President, into which the Senator from Kentucky has fallen, and the one to which may be traced much that is wrong in his judgment, and all that is weak in his argument, is in supposing that there must, of necessity, be a compromise. The Constitution itself is a compromise, and a compromise with a compromise is something unheard of in law, and unknown in equity. If the people of the North will not abide by a compromise deliberately made, and created, by common consent, into the paramount law of the land, what hope can we have that any less solemn covenant will restrain them in future? We want no compromise. A bond has been executed, and we are willing to abide by its terms. If we are to go on compromising away provision after provision of the Constitution, it is better that it should be abrogated at once. In point of fact it is a nullity, or rather, to speak more correctly, it is powerless for protection, and potent only when it comes to aid northern aggression.”

Here he says that the Constitution is a nullity, and something worse, because it is actually an instrument in the hands of the North by which the South is oppressed. “Let me illustrate my meaning,” he says, and he illustrates as follows:

“The majority claim a given power, (no matter

how extravagant, and no matter whether it relates to slavery or not;) the minority deny the existence of any such power. After months, or it may be years, of fierce struggles and contentions, it is acceded to, and one-half is given up. In a little while another contest is begun for the remainder. Another compromise follows, and another half is yielded; and so on, until the stronger party gets all its demands. Sir, I want no compromise of this sort. I stand upon the Constitution. If a reckless and unprincipled majority choose to violate that instrument, there is a remedy, sharp and severe, it is true, but just and inevitable in its application.

“What, Mr. President, have we to compromise? What have we demanded? What favor even have we asked? Tell me, you who talk of compromises, what is it that southern men ask at your hands? Nothing, sir; nothing. Humbler even than Lazarus at the rich man’s gate, we have appealed to you neither for charity nor sympathy. What we have once given up we have never sought to reclaim. Whatever burdens the Constitution imposes we are willing to bear. Beyond this no man ought to go, and no freeman will go.

“I have had occasion to say so much, in my short service here, of the Union and its value, of the wrongs to which we are subjected, and the appropriate remedy for them, that it is with the utmost reluctance I again approach the subject. The Senator from Kentucky has favored us with a bloody and disastrous picture of disunion, and the Senator from Michigan, a short time afterwards, in a carefully prepared speech, followed in the same lugubrious strain.

“Mr. CASS. There was no preparation on the subject. The remarks never occurred to me until the moment they were uttered.

“Mr. CLEMENS. Well, that is a small matter. What I mean to assert is, that both of those Senators endeavored to impress upon the country the belief that war must follow on the heels of disunion. Both of them, no doubt, believe that such is the case; but, in my deliberate judgment, all that is fancy merely. I cannot see why war should follow a separation. On the contrary, I think the good sense of both nations would teach them that, if they must part, it had better be after the manner of the patriarch of old, and that each should say to the other, ‘Let there be no strife, I pray thee, between me and thee, nor between thy herdsmen and my herdsmen, for we be brethren.’ But if it should be otherwise; if war must come; if civil discord and fraternal strife should mar the beauty of the land, the responsibility must attach not to those who maintain the right, but to those in whom the dictates of justice have been silenced by the robber’s instinct.

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“I warn them that bloody pictures will scarcely frighten us from our propriety. We mean to defend our rights in all contingencies, and consequences must take care of themselves.”

You see, sir, the Senator was not to be frightened by bloody pictures of disunion. At this time he held them in profound scorn and contempt. But turn to his last speech, which he delivered the other day, and you will see what a sombre pencil he uses in the same line. Then, again, speaking of

the Farewell Address of Washington, he used this language:

“It is the constant practice of those who are seeking to oppress us, both in Congress and elsewhere, to descant with much pathos upon the Farewell Address of Washington, and to commend to our consideration his last advice to his countrymen. Sir, the memory of that great man should be like the fabled tree in the islands of the East, within whose shadow no unclean thing will harbor. His name should be a forbidden word when anything mean, or base, or selfish, is to be accomplished. Least of all should it ever be quoted to sanction meditated tyranny. He won an immortality of renown by resistance to oppression. His glory had its birth in sympathy for the wronged, and owed its brightness to rebellion. If he were living now, his whole history leaves no room to doubt on which side of this great controversy he would be found.”

The President's message, transmitting the constitution of California to the Senate, was transmitted on the 13th of February. On the 20th of February, on the question of reference, the Senator from Alabama addressed the Senate. It is a labored effort to prove that California cannot be admitted into the Union *consistent with the Constitution*. Mr. CLAY had submitted his Compromise resolutions on the 29th of January, and on their character the Senator remarked as follows:

“After all the reflection which he [Mr. CLAY] has been able to bestow upon the subject, aided by the resources of his long experience, and his great familiarity with difficult questions in trying times, he has been able to suggest no remedy which does not recognise the right of aggression on the one side, and demand an unconditional submission on the other. He has submitted for our consideration a series of resolutions, dignified with the name of ‘a compromise,’ but which, like most other compromises between the weak and the strong, is little better than a cloak to hide from the public gaze a hideous wrong. * * He comes forward now with a compromise which concedes everything demanded by the North, and proposes nothing for the satisfaction of the South, but the reassertion, in less solemn form, of rights already guaranteed and admitted.”

On the 8th of May the Committee of Thirteen made their report. The Senator from Alabama immediately attacked it. He affirmed that the report and the resolutions offered by Mr. CLAY on the 29th January were the same in purport; and on this ground he rebuked Mr. MANGUM for intimating an acquiescence in the Compromise measures:

“I ask,” he exclaimed, “in all sincerity, and with an anxious desire to be corrected if my impressions are erroneous, what is this report but a repetition of those resolutions? Where is there a solitary deviation from them in *any* vital point? The Senator from Kentucky [Mr. CLAY] has been consistent; he has abided by his original plan; and those of us who denounced it then cannot support it now, and claim the merit of consistency. To do so would be giving the lie direct to the declarations we then made.” “The Senator from North

Carolina speaks of liberality!—of the propriety and necessity of liberality! Sir, the Constitution is not a thing about which we are at liberty to exercise that very commendable quality. It is not in my power to exercise liberality here. I have no right to trifle with my sworn duties. I am not here to compromise away the provisions of the Constitution.”

See with what sternness and consistency he vindicates the rights and honor of the South. Not content with defending his own position, he attacks the enemies of the South, as he supposed them to be, who were willing to surrender her rights and honor. But he was not content to assail the Senator from North Carolina alone. No, sir; he turned upon the Senator from Mississippi [Mr. Foote] also, and portrayed his inconsistency exactly as I am doing now to him, [Mr. CLEMENS.] He took all the speeches of the Senator from Mississippi, and convicted him of the grossest inconsistency, and, as Mr. Foote understood him, denounced him as a traitor. Previously, when co-operating in the great cause of the South together, he had paid a very high compliment to the Senator from Mississippi, which I will read. He and Mr. Foote had been attacked by some letter-writers, whilst standing forward as the gallant leaders of the South. They were the Diomedes, sir, in that contest, although we had a Ulysses, and stood in the foremost rank of our combatants. On the 11th of February, in the debate on the petition presented by Mr. HALE, praying that the Union should be dissolved, the Senator from Alabama said:

“But recently I noticed that some small-fry politician, whose name I do not remember—some minnow in the waters of Pennsylvania politics—electrified his little auditory by the declaration that he had just as much respect for Wilmot as for CLEMENS or FOOTE. I hope the Senator from Mississippi will survive this assault, and that he will not drown himself in despair. I venture even to hope that he will not be silenced by it. The South has yet much need of my honorable friend. His genius, his talents, his energy, his readiness to defend the right, his fearless denunciation of the wrong, his unrivalled powers of sarcasm and invective, are each and all familiar acquaintances, with which I should be very unwilling to part at a crisis like the present.”

There was a crisis, occasioned by the pretensions of the North to exclude us from all of our territory, and these Senators stood side by side, denouncing Mr. CLAY and Mr. Benton, and all those in the South who were in favor of the admission of California into the Union, with her anti-slavery constitution. But when Mr. Foote went for the admission of California, and supported the report of the Committee of Thirteen, the Senator from Alabama stood out against him manfully, and arraigned his consistency. If I had known of these speeches when Mr. Foote assailed me the other day, I might have read them as my best defence, for then I should have better shown his inconsistency and treachery. The Senator from Alabama denounced the Compromise as a “shameless surrender,” not a compromise, and the dismemberment of Texas, which it proposes, in the following strain:

"It is well the Senator [Mr. FOOTE] informed us that he had no regard for consistency."

When a man says he has no regard for consistency, it is very much like what Dogberry says of writing himself down an ass. There may be a want of consistency, perhaps, without fault; but to say that he does not regard consistency, is a proof of gross moral deficiency:

"He proposes, now, to cut off ten degrees of latitude from the State of Texas—enough for three free States—which we have his authority for saying will be infallibly subject to the Wilmot proviso. He proposes, further, to tax us ten or fifteen millions of dollars for the privilege of making them free States, and adding to the vast power now threatening to crush us; and then, by way of adding the most galling insult to the deepest injury, he demands that we accept this outrage as compensation for the admission of California."

He denounced, also, the admission of California, and shows Mr. Foote's inconsistency on this point; and in reply to certain letter writers, who had said that Mr. Foote's *national reputation* would not allow him to be *ultra*, he observes as follows:

"It may not be amiss, however, to say a few words of this thing called national reputation. It is something I value very lightly. We all know a process by which any of us may secure it. It is not even beyond my grasp. I should only have to turn traitor to my convictions of duty, and abandon the interests of the South, to change entirely the notes of that whole pack of curs who are now yelping at my heels. Sir, I want no national reputation, purchased at such a price. I spurn it as I would any other foul and loathsome thing."

It is not at all surprising that Mr. Foote should consider the above language as charging him with being a *traitor*. In conclusion, he speaks in the following strain of Mr. FOOTE, and his position, that we should take the Compromise as the best we could get:

"I have now shown that every feature of this Compromise, when taken separately, has met the strong and decided disapproval of the Senator from Mississippi. What healing virtue there is in tacking them all together, I confess myself wholly unable to comprehend. Not long since, he declared that the admission of California would dissolve the Union in six months.

"A few more words, Mr. President, and I am done. I am told I ought to take this bill because it is the best I can get. Sir, I do not know that; but if I did, the same argument might be urged with equal force in favor of unconditional submission to any wrong ever perpetrated by the strong against the weak. Good God, sir, has it come to this, that an American Senator is to ask himself, not whether a measure is unjust, iniquitous, and oppressive, but whether it is the best he can do? Not whether he will consent to wear chains at all, but whether the links are to be round or square? Not whether he will bare his shoulders to the lash, but what is the color of the cow-hide with which they are to be inflicted? Sir, when I consent to ask myself such questions, I hope the walls of this Capitol will fall upon me and crush me. When I stop to inquire into the degree of oppression, rather

than the fact, I shall feel that degradation has reached its lowest deep, and existence is but the privilege to be infamous."

This is proud and noble language, worthy of a true southern man and a southern Senator, on the great question whether the people of the South were to be turned out of a domain richer than Ormus or the Ind. Alas! where is he now? Upon his charging upon Mr. FOOTE his inconsistencies, and virtually calling him a traitor, worthy to have the Capitol crush him as a base, vile thing, unworthy to live and scarcely to die, Mr. FOOTE, with his usual adroitness, turned round and charged him with abolition affinities, precisely as he [Mr. CLEMENS] did towards me the other day, when he drew his picture of the scene in the Senate Chamber. Now, here is his answer to Mr. FOOTE, which I will give as the best answer I can make to his charges against me:

"The Senator says he will not suspect the propriety of his course until he finds himself in company with free-soilers and abolitionists. Ah, sir, is that the rule by which he judges of the right and wrong? Does he propose to inquire who is for a measure and who against it, before making up his mind as to its justice? Sir, he ought to bear in mind that some of those with whom he is now acting, are not altogether free from the same taint. It may, it will, be that on the final vote I shall find myself in company with some of those he has mentioned; but if he does not understand the reason, I can explain it to him in a very few words. They demand the Wilmot proviso direct: the bill the Senator favors, only proposes to give it to them covertly. They demand one-half of Texas; and the bill only gives them a little more than one-third. They demand that fugitives shall not be given up: the Compromise only throws around the master the shackles of a trial by jury. Hence their opposition. Mine arises from the fact that too much is conceded. The abolitionists propose to enslave us at once; the Compromise arrives at the same end by a more circuitous route. I shall resist both; but, if the truth must be told, I prefer the direct to the indirect attack."

Mr. President, when the bill admitting California into the Union finally came up on its passage, the Senator from Alabama entered a protest, not a speech; he called it a protest against her admission. He fought to the last, and, although vanquished, he held his proud crest still higher, breathing defiance to our foes. He then reiterated his objections to the bill as strongly as he had done before, and assailed the Senator from Michigan, for his new doctrine of squatter sovereignty, in terms of great severity, and told him he had been deceived as to his views in Alabama, and had been the instrument of deceiving others. He had supported his views, in his construction of the Nicholson letter, as consistent with the rights of the South. He concluded in the following solemn strain:

"Mr. President, other Senators have spoken the probable action of the States they represent upon the passage of this bill. I do not know what Alabama may do. That her action will be characterized by wisdom and firmness, I have not the least doubt. I am not here to dictate to her what she ought to do. I am the servant, not the leader of

her people. Whatever they do, I shall do in despite of Executive menaces, and of all the bloody pictures other hands may exhibit to our view. Born upon the soil of the State while it was yet a Territory, we have grown up together. Time after time she has committed her interests to my hands. Again and again she has trusted and promoted me; and I recognise no allegiance to any power higher than I owe to her. When she commands, I will obey. If she determines to resist this law by force, by secession, by any means, I am at her service, in whatever capacity she desires to employ me. If this is treason, I am a traitor—a traitor who glories in the name."

Is not that in a noble strain? I have no doubt that there is not a heart here which does not glow at this high and brilliant annunciation of self-sacrifice and devotion to his native State. He continues:

"I know, sir, that the President, in his late letter to the Governor of Texas, has assumed the right of the Government to coerce a sovereign State. I deny that there is anything in the Constitution, anything in the laws, to justify such an assumption. The law is plain and clear—individuals, not States, are the subjects of coercion. If any State should secede, let him, if he dare, attempt to employ military force to compel her return. He will soon find, in that event, that he has more than a State to deal with, and that the powers and resources of this Government are wholly inadequate to the tasks he has undertaken. The federal doctrine that all power lodges here has been somewhat widely repudiated; and the denial of State sovereignty, either North or South, can bring to the Executive nothing but contempt."

Mark how he speaks of State sovereignty—that to deny State sovereignty can bring nothing, either in the North or the South, but contempt. I will afterwards show you that he denies that the States are sovereign at all, in the speech delivered here the other day. He continues:

"I hold that my first allegiance is due to my State; and that treason cannot be committed against any power while obeying her mandates. Such opinions have recently been unsparingly denounced; but let me warn those who resort to such weapons that they may be used by more than one side. There are more traitors than traitors to the Union."

There are more traitors than traitors to the Union! He means, I suppose, that those southern men who supported these Compromise measures on this floor, and asserted that if a State should secede it was treason, were traitors themselves. Mr. Clay had made this assertion, and even expressed the hope that they (the secessionists) might meet a traitor's doom. It was in reply to that position, I presume, that the Senator from Alabama uses this language:

"Sir, I impugn no man's motives who lets mine alone. I question the purity of no man's conduct who does not provoke retaliation by assailing others; but when men intimate that obedience to the mandates of my State is treason, they must expect to hear in return that, in my opinion, there are those in this land, and about this Capitol, who would sell their souls to Satan for the privilege of having a hand in President-making, cabinet-making, and the

subsequent distribution of the public offices. There are those who would sell their Saviour, were he again upon earth, for half the price that Judas accepted to betray him.

"Denunciations, sir, are weapons that two can use; and, if any one expects to employ them against me with impunity, he miscalculates sadly the character of the man he assails.

"I have said all I think it necessary to say. I did not mean to argue the bill here. I shall, if necessary, argue it at home."

Sir, he did argue it at home. He became a submissionist, and did all he could in his State to quell the proud spirit of resistance he himself had contributed to raise in Alabama. After all these brave and sounding words and fiery resolves, he repeats the course he had pursued in Alabama, and here in the Senate advocates the Compromise from beginning to end—goes for submission utter and entire, and denounces those who will not follow his downward path in submission as traitors. He at first denounced on this floor those who went for the Compromise as traitors, whilst he held forth defying resistance; now, he wheels round and denounces those who propose only to follow his brave counsels of resistance as traitors, because they will not bow to an ignominious surrender—to a gross outrage, as he characterizes it. What can censure from such a man be worth? In denouncing others he but denounces himself, and stands forth self-convicted.

I come now to the speech delivered here the other day—the last in my series of proof. I will show you what Mr. JERRY CLEMENS, Senator from Alabama, is in December, 1851. I have read to you the first paragraph of his speech. In a subsequent part he approves the whole Compromise. He says:

"Mr. President, it was not my fortune to agree with those patriotic men who framed the Compromise. I doubted its healing effects; but, even when differing from them, I respected their motives, and felt that Rome, in its proudest day, never assembled a Senate of loftier intellect or purer patriotism."

Why, I thought he had denounced those Senators who voted for the Compromise as men who would sell their souls to Satan for office—who would sell their Saviour for half the price Judas received. He continues:

"But now, sir, when the work is accomplished, and its good effects are visible everywhere, I bow to their superior wisdom, and ask only the humble privilege of assisting to maintain it."

It is, indeed, an "humble privilege." In my estimation, rather than to make the speech which proclaims it, the Senator from Alabama had better, like Cranmer, have put his hand into the flames and have it burnt to ashes.

He formally denounced the admission of California as unconstitutional. In this speech he now affirms that it was constitutional. I will read what he says:

"The Senator from South Carolina [Mr. RHETT] says the admission of California was unconstitutional, because the Constitution provides only for the admission of States. If I had not heard this same argument advanced at home by abler men

than the Senator, I would not hesitate to pronounce it pure nonsense. The Constitution provides only for the admission of a State. True; but it is the act of admission which makes it a State. Some thirty-three years ago, you, sir, were sitting in a convention in the then Territory of Alabama, framing a Constitution upon which you asked to be admitted into the Union. Did you imagine that you were committing the folly of asking that which Congress had no right to grant? Suppose some wiseacre had risen in that convention and informed you that the Constitution provided only for the admission of States—that Alabama was a Territory, and therefore could not be admitted into the Union—what would have been your opinion, not merely of his constitutional learning, but of his common sense? From that period to this, with only a short intermission, you have held a seat in this body. Has it ever occurred to you that you were here unconstitutionally, and that in the very act of taking your seat you violated the instrument you were sworn to support? There are but three cases, I believe, in our history in which States have been admitted into the Union—Vermont, Kentucky, and Texas. All the rest came in as Territories; and if the position of the Senator from South Carolina be correct, the early fathers of the Republic, the framers of the Constitution, knew nothing of the fundamental law they established. But, sir, while the Senator from South Carolina denies to California the right to come in because she was not a State, he yet contends, with that remarkable consistency which characterizes many of the opponents of the Compromise, that Missouri did have that right. Now, sir, the only difference between the two cases is, that Missouri had a regular territorial government, and California never had. But they were both Territories nevertheless, and neither could ever become anything else without the assent of Congress. The people of both adopted a constitution, and sent it here for approval. When approved, they both became States, but not until then.”

Now, here is his affirmation that California was constitutionally admitted, because, as he argues, she was admitted precisely like other States. They were Territories, as she was; and the act of admission made her a State. All the other States, Alabama included, were Territories when they were admitted: so California, being a Territory when she was admitted, was admitted as constitutionally as they were admitted. There is the argument. I have in my hand the act of Congress admitting Alabama as a State into the Union. The truth is, Mr. President—and you know it very well—no Territory has ever been admitted into this Union as a State. In every instance the course pursued has been this: Congress passed an act authorizing the people in the Territory to adopt a constitution and form a State. The people get together, make a government, adopt a constitution, put the machinery of their State government into operation, and apply here for admission as a State. They are States, and they come in as States. Under the clause of the Constitution authorizing Congress to admit new States into the Union, their territorial garb is thrown away, and they come here robed in all the dignity of free and independent sovereignties. Alabama, the Senator's own State, was admitted in that way. The

act of Congress passed for the admission of Alabama begins thus:

“That the inhabitants of the Territory of Alabama be, and they are hereby, authorized to form for themselves a constitution and State government, and to assume such name as they deem proper; and that the said Territory, when formed into a State, shall be admitted into the Union upon the same footing with the original States in all respects whatsoever.”

They agreed to form themselves into a free and independent State, and they did so. So it was with Missouri. Here is what the people of that State did:

“We, the people of Missouri, inhabiting the limits hereinafter designated, by our representatives in convention, assembled at St. Louis, on the twelfth day of June, 1820, do mutually agree to form and establish a free and independent republic, by the name of the State of Missouri; and for the government thereof do ordain and establish this constitution.”

Missouri was a State, Alabama was a State, and all the other States that have arisen from Territories were full sovereignties when they came to be admitted into the Union. How was it with Missouri? Missouri adopted a constitution in 1820. She was not admitted, I think, until 1822. Where was she, then, before she was admitted into the Union? She had all her offices in full operation—her executive, her legislative, and her judicial departments of her government organized. And was she not a State? Could she not have remained a State? Was not Alabama a free and independent State, as her constitution affirms, when she applied for admission? It must have been so, or she could not have been admitted; I hesitate not to say, that if she had not been a State, it would have been a gross violation of the Constitution to have admitted her into the Union. You, Mr. President, never supposed, when you came here to represent her as a State, that she was a Territory. No, sir. The Senator from Alabama does not know the birth of his own State.

How could the admission of Senators here make a State? Unless the people had previously organized the State, no act of Congress admitting them as States could make them such.

I think, then, the argument of the Senator in favor of the constitutionality of the admission of California is not of great potency. It is based upon a denial that the people of his own State were the authors of their own rights and liberty. They owe their existence, not to their own volition, but to others. Let him glory in such a parentage for his State, if he pleases. He must be hard driven for an argument to sustain his new position. After affirming that the admission of California was unconstitutional, he resorts to these expedients to prove the contrary, and to nullify his own previous arguments.

As I said, he now supports the whole Compromise. So staunch is his adherence that he even says he would not repeal the law by which the slave-trade is prohibited in this District, under the penalty of emancipation. But the dangerous feature in this bill—all that the South cared to oppose—was the usurpation on the part of Congress of the power to emancipate the slaves in this District.

That is what we objected to in that act. Yet the Senator says he would not vote to repeal this act. He is willing to let the legislation by which slaves are emancipated in this District remain to be applied in future, by the same course of reasoning, to the States. He is certainly enamored of the Compromise.

He becomes, too, an apologist for the manner in which the fugitive slave law is executed. Here are the meek, and comely, and honeyed words in which he apologises for the execution of the act. He says :

“That it has been occasionally evaded in other places, is true; and that in some instances it has been resisted by violence, I do not deny. But that was to have been expected. It is so, and always will be so, of all laws in a country like ours. No man ever believed when this law was passed that it would be executed in every instance. No man ever believed so of any law framed by the wisdom of man. It is sufficient that this law has been executed as faithfully as other laws. Occasional failures by no means warrant any one in asserting that it is in effect a dead letter. There is not a law upon our statute books which is not sometimes evaded. There is not a year in which criminals do not escape the penalties prescribed by the law against murder; but that is no reason for the repeal of the law. It is better that the life of the citizen should be imperfectly protected than not protected at all. So in the present case, if the law does not secure the certain return of every fugitive, it does as much as any human law can do; and I can construe in but one way the conduct of that southern man who desires to continue agitation about it.”

His assertion is, that the fugitive slave law has been enforced as well as any other law—as laws against murder or theft. Now, what is the fact? Just about the time when the Senator was delivering his speech, the Christiana rioters were having a glorious triumph in their unanimous release from its penalties. The murder of a citizen of Maryland had been consummated under this very act in the State of Pennsylvania. Yet, when in my speech I ventured to suggest that not a hair of the head of one of these Christiana rioters would be touched, the Senator from Pennsylvania [Mr. BRODHEAD] rose and intimated that I cast an aspersion on his State, and broadly maintained that his State was true to the Constitution and would enforce the laws. He feared rather that the innocent would be punished than that the guilty would escape. How stands the final result? Every one of the Christiana rioters has been released from all penalties, and released in such a form and manner that I saw in the “Union,” the other day, a letter from a Virginian, inquiring whether there was such a thing as getting back a negro at all in the free States. The writer said there was a great many people in his part of the country who desired to recapture their slaves; but from the appearance of things, from the release of those men in Pennsylvania, it seemed to be hopeless for a southern man to attempt to reclaim his slave. That was published here not a week ago; and yet the Senator from Alabama says that this law has been enforced as well as other laws. Did he ever hear of other laws where a prisoner was rescued in a court of justice in open day, with

all the guards and sanctity of justice around it? Does he know of any law of the land where those who go to enforce it are deliberately murdered, and every criminal, without any exception, from Massachusetts to Pennsylvania, have all gone free of punishment? Why, it seems that just in proportion as time develops the fact, that the South has obtained nothing by this Compromise—that so far from having gained anything, she has only earned contempt—the sympathies, the feelings, and the support of some southern men seem to cling closer to its support. The worse it is, the more they love it. The more they are degraded, the more they humble themselves. I see that, according to the census returns for the year ending the 30th of June, 1850, upwards of 1,000 fugitive slaves escaped to the North from the South. That amounts to \$800,000 worth of property at the market value of slaves. Maryland alone has lost 379 fugitives during that year. How many fugitive slaves who have thus fled to the North have been rendered up? Whenever one is recovered by stealth, by connivance, or assent—for some of them come back of their own accord—it is heralded forth as a great proof of the enforcement of the law; but how many of these 1,000 slaves has the law restored? Not one, probably, in one hundred. Yet just at this time, when the census is printed; showing our condition in relation to this law; when the North every where treats this feature of the Compromise with demonstrations of defiance and contempt; it is at this time that a party rallies in the South, and goes for the Compromise!—the Compromise!—everything for the Compromise! As my distinguished predecessor said in his dying moments, “The South!—the poor South! God knows what is to become of her.”

I have read to you extracts from the speeches of the Senator from Alabama to show that he not only advocated resistance and secession, but said that if a State seceded he would dare the Government to interfere. Now, what do you think he says in the last speech of his, to which I refer? He denies the right of secession; and he denies it first on authority, and then for reasons. I will read his authority:

“We are told that authority for the right of secession is to be found in the resolutions of '98 and '99. So many men have sought to sustain absurd theories by referring to these resolutions that I presume we ought not to be surprised even at this last and weakest attempt of all. Nor in this age of progress is it to be wondered at that the wisdom of the disciple should far outrun that of the teacher. John C. Calhoun and George McDuffie examined the resolutions of '98 and '99 for the right of secession, and could not find it. They found, as they thought, nullification; but nullification is itself a denial of secession. We all know that some of the ablest efforts made by both of these great men were to establish that nullification was the rightful remedy.”

Of Mr. Calhoun he said:

“Sir, I believe I loved him better while living, and respect him more now, than any one of those who make use of his name to give respectability to treason. He was never a secessionist, and I am authorized to say that the proof will before long be given to the world. He regarded the attempt of a

single State to go out of the Union as madness, and died in that opinion."

Here is the assertion that the resolutions of 1798 and 1799 do not sanction secession. Now, I understand there is a proposition in circulation in the other branch of Congress amongst members to print the Virginia report and resolutions of 1898-99, and by circulating them let the people judge for themselves what are the doctrines they contain. Will the Senator from Alabama subscribe or not? If he will not subscribe, I will subscribe a thousand copies for him if he will promise to frank them to his constituents, and by this means he will show his sincerity and put down secession. Sir, they do advocate secession, because they do advocate State sovereignty. They deny, what he affirms, that the Supreme Court of the United States is the arbiter between States. They affirm that each of the States has a right to construe the compact of the Constitution existing between them, and, construing the compact, they have a right to determine whether it has been violated, and the mode and measure of redress. These are the positions assumed in the report and resolutions of 1798-'99.

The only difference between the republican party and South Carolina in 1832 and 1833 as to nullification was this: The republicans in Virginia and elsewhere maintained that the resolutions of 1798 and 1799 affirmed secession; we maintained that they affirmed nullification. They said we could not remain in the Union and nullify its laws, but that each State had a right to secede from the Union as a consequence of her sovereignty. There is really no incompatibility between these positions. They perfectly harmonize. If a State has a right to nullify, it has a right to secede.

But the Senator says that John C. Calhoun was not an advocate of secession, and that it will soon be proved by somebody that he denied this right in a State. On page 301 of Mr. Calhoun's late work, the Senator from Alabama, if he ever reads it, will find these words:

"That a State, as a party to the constitutional compact, has a right to secede, acting in the same capacity in which it ratified the Constitution as a compact, cannot, with any show of reason, be denied by any one who regards the Constitution as a compact. This results, necessarily, from the nature of a compact where the parties to it are sovereign, and of course have no higher authority to which to appeal."

These are the words of Mr. Calhoun, holding his dying pen; and if he had said anything else he would have belied all his doctrines and his intelligence itself. Let the man step forth who will prove that Mr. Calhoun was opposed to secession. I hope the Senator will soon bring him out into open day. That man does not live who will venture to attempt to prove that Mr. Calhoun falsified his own great work by contrary opinions; and, mark what I say, if he does live, and ever had any such design, he will never lift his head to assert it. Mr. Calhoun was surrounded by too many friends when living to be abused by his enemies when dead. He has sons who regard the honor of their parent, and who will protect his name and his reputation. And let the slanderers stand forth and dare to say, that in defiance of his whole course of life, and his last written work, he denied the right of a State to secede; let them come forth if they dare.

Sir, neither Mr. Jefferson, nor Mr. Calhoun, nor Mr. McDuffie, nor the resolutions of 1798 and 1799 deny the right of secession. I will not say anything about Mr. Jefferson. His most malignant enemies—the consolidationists and abolitionists—dare not attribute such a sentiment to him. John Quincy Adams, holding the pen and describing Mr. Jefferson's opinions, could not so stultify himself as to do otherwise than acknowledge that Mr. Jefferson maintained the right of a State to secede from the Union. Consolidationist as he was, he had too much integrity and honesty to falsify the opinions of a dead statesman. These are the authorities of the Senator from Alabama; and now let me come to his reasoning, which is just as conclusive as his authorities. He says:

"I apprehend, Mr. President, that a great deal of the misapprehension which exists in relation to this matter grows out of the too loose application of the word 'sovereign' to the States. We speak habitually of sovereign States, as if their sovereignty was absolute and unquestioned. But there is no such thing as a sovereign State within the limits of this Union. The Constitution has expressly denied it."

There is assertion broad and strong. "There is no such thing as a sovereign State within the limits of this Union," says the Senator from Alabama. "The Constitution has expressly denied it." Where? In what clause? I have read the Constitution all over, and can see no expression in it denying the sovereignty of the States, or the consequent right of secession. If there be any such clause in the Constitution, let it be produced. It will settle at once the whole question.

The Senator continues:

"The Constitution has taken away from the States some of the highest and most essential attributes of sovereignty. They cannot coin money; they cannot emit bills of credit; they cannot punish treason against themselves; they cannot go to war; they cannot enter into compacts with other States; nay more, the Constitution provides that the Constitution and laws of the United States shall be the supreme law of the land, anything in the Constitution or laws of any State to the contrary notwithstanding. Now, who ever heard of a sovereignty within the laws of another power superior to its own within its own limits?"

Because the States have surrendered the power of coining money, and making war and peace, to the General Government, therefore he argues that the States are not sovereign. Are not alliances, offensive and defensive, common among nations, in which they agree to make war and peace together? Did any one ever suppose that they renounced their sovereignty by such agreements? As to coining money, it has been gravely proposed in Europe that all nations should consent to one coinage. That is a mere matter of commercial convenience. But there is one test, the power to punish treason, which the Senator says the States do not possess. If this is true, I will give up the question, and I will never again open my mouth in defence of State sovereignty and State rights. If a State cannot punish treason, it is clear it cannot be sovereign. The very definition of sovereignty is supremacy. Its duty is protection. The duty of the citizen is allegiance, and treason is a violation of allegiance.

If, therefore, a State cannot punish treason—if it cannot punish a violation of allegiance—there cannot be such a thing as State sovereignty. But how stands the matter? The Senator is altogether mistaken in his assertion. His own State constitution has a clause punishing treason, which I will read to the Senate. In the constitution of Alabama, the sixth article and fifteenth clause reads:

“Treason against the State shall consist only in levying war against it, or aiding or adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or his own confession in open court.”

There is the constitution of his own State, upon which she was admitted into this Union; and that constitution distinctly affirms that she has a right to punish treason, and therefore that she is sovereign. I have not looked into the constitutions of all the States; but in the constitution of Missouri, (13th article, 15th clause,) there is the same provision; so in the constitution of Kentucky, (6th article, 2d clause;) Indiana, (article 11th, clause 2d;) Louisiana, (title 6th, article 90;) Mississippi, (article 7th, clause 3;) Florida, (article 16, clause 4;) Arkansas, (article 9, clause 2;) Texas, article 7, clause 2;) Wisconsin, (article 1, clause 10;) and, last of all, Iowa, (article 2, clause 16.) Every one of these—all of them new States—have been admitted into the Union with this clause in their constitutions, in which they assert the right of punishing treason, and consequently the right to the allegiance of their citizens, of which treason is the violation. Look at the construction these facts afford; Congress, at every successive act approving of these constitutions, endorses the right of the States to punish treason, and therefore affirms the sovereignty and independence of the States. That is in perfect consistency with the Constitution of the United States. That Constitution says, that treason against the United States shall consist in levying war against *them*, and in adhering to *their* enemies, and giving them aid and comfort. “Their enemies”—enemies of the States. The Constitution of the United States itself describes the States as sovereigns, against whom treason may be committed in their united capacity. And when, afterwards, Congress approved the State constitutions, in which treason is defined, and a power is expressed to punish it against the States, it is in perfect harmony with the Constitution of the United States; and both the Constitution of the United States and the constitutions of the States which have been admitted into the Union, go to show that the States alone are sovereign. The Constitution of the United States does not say that treason may be committed against the Government of the United States or the Union. No, sir; it is against the States that treason can alone be committed, whether acting together in the Union, or as separate States. Therefore I say, that the Constitution of the United States and the constitution of all the States teach but one doctrine, contrary to the affirmation of the Senator from Alabama, and that doctrine is, that the States are sovereign. His own State punishes treason. If he can nullify the constitution of his own State, and cast her out of existence—if he can degrade her into a wretched dependency on this Government, which can be trampled upon with impunity, and dare not lift the front of resistance—

let him do it, and take all the glory of such an achievement. For my part, it is my glory, as well as my privilege, that I am a citizen of a sovereign State—the State of South Carolina. To her, as the Senator from Alabama formerly said of his State, I owe my allegiance. With her I live, and at her mandate, I trust, I am prepared to die. And I care not what consolidationist, whether from the North or South, dares to assail her in the exercise of her sovereignty, so far as I am concerned, with the little power I possess, at her command I will resist, and resist to the last. She is my sovereign; and she at least will not tolerate the doctrine that treason cannot be committed against her. Let any man within her limits take up arms against her in obedience to any power—there stands her statute; her incorruptible judiciary; her executive armed with the sword of authority to protect her sovereignty. His fate will be death.

Mr. President, I am exhausted; and I presume that the Senate must be fatigued from the length of time I have tried its patience. I have here before me many other points in which the inconsistencies of the Senator from Alabama are exposed, and which I promised to expose. I must leave them to be read and compared as they are contained in his last speech. His inconsistencies with respect to the dismemberment of Texas—his beautiful picture of the blessings of the Union, and his tragic delineations of the horrors of disunion—I must leave unquoted. I turn, in conclusion, to a public matter which has lately come to light in Alabama. It has been in the public prints for many weeks, and I have not seen it contradicted. I take it to be true. It may go far to explain the inconsistencies of the Senator from Alabama.

It is well known that when that Senator was elected to his seat in this body, he was elected by the Whigs. The Democratic party, by an overwhelming vote, I learn, nominated his competitor, Mr. Fitzpatrick, to be their candidate for the Senate. The Democratic party had a majority in the legislature; but a few of the gentleman's friends, in combination with the Whigs, elected him to his present place. I hold in my hand the statement of Judge Buford. You know the man, Mr. President; and a more honorable and truthful man does not live within the confines of Alabama or the South. I know him also, sir; and I suppose his veracity and honor would not suffer in comparison with that of any man on this floor. Here is a statement he has placed before the world. He was a senator at the time in the Alabama legislature:

“On the night before the final balloting by the legislature for a United States Senator a caucus of the whig members was held, at which it was announced that Mr. CLEMENS had verbally pledged himself, if elected, to support the administration of General Taylor. Objections were made by members of the caucus to receiving a verbal pledge, and it was insisted that it should be reduced to writing. Accordingly, soon after, a small strip, containing a written pledge, was brought in the caucus by Mr. Rip Davis, of Limestone. It was nearly or exactly in these words:

“ ‘ If elected to the United States Senate, I promise to support the administration of Gen. Taylor.
“ ‘ JERE. CLEMENS.’ ”

“ It was further stated by Major Buford that he had seen the written pledge, and that it was repre-

sented and believed to be in Mr. CLEMENS's handwriting."

Another Whig member of the Alabama legislature, who was in the caucus, comes out with a statement confirming that of Mr. Buford. Here is what he says:

"EUFULA, (Ala.) January 29, 1851.

"GENTLEMEN: Your note of this date is received. For my own part, I never recognised any obligation of secrecy in relation to the CLEMENS affair. I supported Mr. CLEMENS (as is well known) with extreme reluctance, and with the reservation of the right to make any explanation of the reasons I might think proper; and, besides, I heard of no pledge of secrecy in the caucus. I would not, however, have volunteered my testimony in this matter, nor have given it, but for the reasons stated in your note.

"On the eve of Mr. CLEMENS's election to the United States Senate, there was a caucus of the Whig party; I did not contemplate attending, but went at the urgent request of my colleague, Mr. Gardner. When we arrived we found the caucus organized: the only question was, whether the Whigs, as a party, should support Mr. CLEMENS. Some of his friends gave verbal assurances that he would, if elected, act with the Whigs, and said they were authorized by him to say so. It was objected that it was unsafe to support him without a written pledge, and, the caucus being unable to agree, a member from Greene stated, that a pledge could be obtained, and called on Mr. Rip Davis, from Limestone, who rose and produced a small scrap of paper, and read it, as near as I can remember, in these words:

"If elected to the United States Senate, I pledge myself to sustain General Taylor's administration.
"JERE. CLEMENS."

"A good many gathered around to inspect the paper, and some seemed to question its being in Mr. CLEMENS handwriting, when Mr. Davis said, in substance, 'I pledge my honor, as a gentleman, it is Mr. CLEMENS's hand, and written by himself.'

"The same gentleman who had called on Mr. Davis, as above stated, then took the paper, and, holding it up, read it out in a louder tone, and in the same words.

"Yours, &c.,
"PAUL McCALL."

Mr. President, I have done. The Senator from Alabama, without any provocation on my part, thought proper to arraign me before the Senate. I stated what my purpose was; that I would discredit the witness; that I would show that the authority which has presumed to impugn the honor and character of other Senators, was not so high as to injure the reputation of any man, much less that of a Senator. I have fulfilled my task. It has been most reluctantly performed; but I could not avoid performing it. I have only acted on the defensive; and while I deprecate the necessity which has compelled me to this course of action, I, at the same time, must render my profound acknowledgments to the Senate for the courtesy which has afforded me the opportunity of doing what I have done in the vindication of truth and justice.

Mr. CLEMENS. Mr. President, yesterday, about two o'clock, when at my room, I received the following formidable missive:

SENATE CHAMBER, Feb. 26, 1852.

DEAR SIR: I have been directed by the Hon. Barnwell Rhett to inform you, that to-morrow he will address the Senate upon the subject of personalities between you and himself, and that he has given notice this morning to the Senate to that effect.

I have the honor to be, most respectfully, your obedient servant,

R. BEALE, *Sergeant-at-Arms.*

HON. J. CLEMENS, *United States Senator.*

If that notice had been given to me alone, I might have supposed that the Senator from South Carolina intended to give me an opportunity of preparing to die with decency. But, not satisfied with directing this note to me, I see from the morning papers that he gave, in addition, a formal notice to the Senate, to the galleries, to the reporters, and the letter-writers, in order that they might all appear on the present occasion to witness his triumph and my discomfiture. It may happen that the vain self-conceit which has induced him to overlook the means of assault, has equally induced him to undervalue those of the defence. The Senator from South Carolina has manifested an ignorance of the history of this Compromise—an ignorance of my position in relation to it; he has drawn deductions from it so false and so unjustifiable, that I can attribute it to nothing but that blind and rabid spirit of disunion which prevents him from seeing things that, to other men, are as apparent as the noonday sun. He says that I called him a knave and a traitor. No man who heard that speech of mine ever entertained such an opinion but himself. The illusion to knavery was an illustration, not a charge. But if I had done so, the subsequent course of that Senator justifies me in adding the epithet of coward to that of knave and traitor.

The PRESIDENT. The Senator must not use expressions of that kind.

Mr. CLEMENS. I am not out of order, Mr. President, and I intend, if I can, to keep within the rules of order. But there are some things which I must say, and which I will say. If, when he believed that the charge of knavery was pending against him, he brooded over it, and took more than two months to prepare himself for a deliberate speech to answer it on the floor of the Senate, he does not deserve the character of a man. No man, with the feeling of a man in his bosom, who believed such a charge was pending against him, would have sought redress here. He would have looked for it elsewhere. He submitted to it then, and now comes here, not to ask redress in the only way he should have sought it, but, as he says, to discredit the witness; and how does he propose to do it? He begins with the evidence of two of his co-conspirators. Now, in my State, they are not allowed by law to give evidence for one another. But that is not all. He has evaded the point. He has sought to create a false impression upon the Senate and the country. He has endeavored to make this Senate believe that I intended to charge them with open applause of his conduct. I meant no such thing, and every man knew that I did not mean it. But will he deny that they went to him and shook hands with him, congratulating him upon the speech that he had made?

Mr. RHETT. I deny it.

Mr. CLEMENS. Mr. CHASE, did you not do it?

Mr. CHASE. I do not recollect what I did, so far as shaking hands is concerned. I know I expressed then, as I express now, my concurrence in the doctrines of the speech so far as it inculcated the doctrines of States rights; and when the Senator from Alabama, the other day, gave us the pleasure of hearing a very beautiful speech upon another occasion, I expressed to him my gratification with that speech, so far as I concurred in it. And now I ask the Senator from Alabama upon what ground he says I am a co-conspirator with any one upon this floor?

Mr. CLEMENS. I will attend to one at a time. Now, what witness is discredited? The Senator from South Carolina alleges that there was no such congratulation. Before the words are cold upon his lips the Senator from Ohio contradicts him. Where, then, is the witness who is discredited? Here are witnesses who saw it. The Senator from Ohio does not pretend to say that he did not do it. He does not pretend to say any thing of the sort. He says merely he does not remember *shaking hands*. But, sir, it is no extraordinary thing—it is nothing extraordinary for the Senator to be upon friendly and intimate terms with those whom he professes extreme anxiety to destroy. I am not saying any thing disrespectful of these gentlemen. The point which I mean to make is this: that the Senator from South Carolina at home denounces them as traitors—that everywhere throughout the land he has assumed the ground that they were worse than Arnolds—and yet in the face of all this we find his personal relations with them so warm that they can afford to go and congratulate him upon his efforts in favor of disunion. I do not mean to say there is any thing discreditable to them in that association: but what I mean to say is, that it is extraordinary—that it is something which is strange to the country—that this uncommon intimacy should exist between them. But that is not all. The Senator has given us another illustration of his facility for forming such associations. In that very speech which he made here in the course of his reply to Mr. FOOTE, he let out the fact that he had private consultations with THOMAS H. BENTON behind one of the columns of this Capitol in relation to Mr. FOOTE's conduct towards Mr. CALHOUN. Who in South Carolina would have believed that BARNWELL RHETT would have gone to THOMAS H. BENTON to consult about the interests of JOHN C. CALHOUN?

There was another witness whom the Senator did not call to the stand—possibly because he is not here—possibly because his testimony would not have suited him quite so well; and that is the honorable Senator from New Hampshire, (Mr. HALE,) who was actually so delighted that he left his seat and came over to this side of the House to listen to the whole of that harangue. Yet the Senator from South Carolina now attempts to create the impression upon the country that I have made a false charge against him, of being on terms of intimacy with these gentlemen. There is one thing which we all know: if there is no concord of sentiment between him and them, there is a concord of sentiment between him and those whom they represent. We all know that the abolitionists have declared that the Constitution of the United States is “a covenant with death and an agreement with

hell;” and we all heard the Senator utter sentiments equally as atrocious.

He says that I calumniated him. Calumniate him! It is beyond the power of man to do it. How, though, did I calumniate him? What word did I utter which he has not avowed on the floor of the Senate? Did he not get up and proclaim himself a traitor? And does he call it calumny when I charge him with being precisely what he has avowed that he is? Is that the standard by which he measures calumny? Sir, I could say nothing worse of him than he has said of himself. I never intended to say any thing half as bad. It is true he is a man for whom I never had any fancy. It is true I never sought his acquaintance. It is true that, when he came here, I refused to extend to him that courtesy which is usually extended to new Senators, and refused to be introduced to him. That is the reason he does not know me. But I never intended to make his character nor his conduct the theme of discussion in the Senate. The subject is too small. I have heard, or rather I have read, a description by one of the English poets of a certain period of darkness when vipers crawled among the multitude, “hissing, but stingless;” and I knew well that it applied to him. We can hear him hiss, but there is no sting about him.

Mr. JONES, of Tennessee. If the Senator from Alabama will permit me, I will suggest that it is impossible for him to-day to answer the speech of the Senator from South Carolina; and, with his permission, I will move that the Senate do now adjourn till to-morrow, twelve o'clock.

Mr. CLEMENS. There is another matter to which I wish to advert, and I will give way in ten minutes.

Mr. JONES. I withdraw the motion.

Mr. CLEMENS. There is a matter which has been brought into this controversy which I choose to notice now. I do not wish that any false impressions shall go abroad to the country. The Senator from South Carolina has ventured to do here to-day what no man in Alabama was ever found bold enough to do in my presence. The retailer of a slander is as bad as the originator. Indeed, he is, if possible, worse than he who originated it. He has charged me with owing my election to a corrupt bargain with the Whig members of the Alabama legislature, and he has read a letter from Jefferson Buford and Paul McCall on the subject. I choose to notice them now. If he had only waited two days longer, I think the probability is he would never have ventured to make the charge; because the refutation of it has gone home so strong, that no man would have dared to repeat it. The fact is this, so far from making any pledge, that slip of paper to which Mr. Buford alludes contained no expression of opinion at all. Sir, you were in Montgomery at the time. Although of course you cannot be presumed to know what was done by the Whig party, yet your conduct from that day to this has manifested that you did not believe one word of the calumny. It was a simple note of authority to Mr. Davis to state *what* my opinions were. He was a warm personal friend, perfectly familiar with those opinions; and I told him, who had heard them repeatedly, to state what they were. There is now a member in the other House who was a leading member of that legislature—one of the individuals whom it is alleged knows most about it—who has again and again authorized me

to pronounce it a calumny. Mr. Davis has again and again authorized me to do the same. A number of other gentlemen have written letters denouncing it, or authorizing me to do so. But the Senator brings up the dead carcass, on the floor of the Senate, and makes it a charge against me, to account, as he supposes, for what? An abandonment of Democratic principles? Who charges me with having done so? Who alleges that I have ever given a vote that was not according to the strict Democratic faith? Who charges me with not being in full association with every Democratic member of this body?

I promised long ago, and it is a duty which I mean now to discharge, that if ever I could meet a man in Alabama who would allege that thing to be true, I should brand him as he deserved; and I want the Senator to mark now what I have to say on the subject, and apply it. The charge, emanate from whatever quarter it may, circulated by whom it may, is a foul lie, unmitigated and unredeemed by the slightest semblance of truth. I am now willing to adjourn until to-morrow.

Mr. JONES, of Tennessee. Then I move that the Senate adjourn.

The motion was agreed to, and the Senate adjourned.

SATURDAY, FEBRUARY 28, 1852.

Mr. CLEMENS. Mr. President, I observed a paragraph in one of the papers this morning lamenting that the Senate had been disgraced on yesterday by the use of "coarse and scurrilous" language. When the Senator from South Carolina (Mr. RHETT) gave a formal notice to his peculiar friends to be present on that occasion for the purpose of hearing him indulge in personalities—when he caused a notice to be served upon me that it was his purpose to engage in that particular species of amusement—I hope that neither he nor they supposed the war would be confined entirely to one side. It is to be regretted, doubtless, that the invitation to my funeral should have turned out to be so sad a mistake. The guests were all present, the preacher was at his post, and proceeded regularly with the ceremonies; but then came the resurrection; and now, instead of the triumphant notice which the Senator no doubt anticipated, we have a short paragraph deprecating the use of personal language in the Senate. If that Senator had taken the course he ought to have taken, there would have been no syllable uttered by me to which the greatest stickler for propriety could object. If he had confined himself to attacks upon my political course—if he had commented in language, no matter how severe, upon what he chose to regard as my inconsistencies, or my abandonment of State rights—I should have replied with perfect temper, and uttered nothing offensive to him or others; but when he went to the columns of a low and scurrilous newspaper to hunt up a foul and loathsome calumny—when he brought that calumny here, and sought to give it dignity and importance by parading it in the presence of the Senate—I did feel some degree of irritation, and gave the only answer it became me to make. For the language used I have no regrets; nor have I the least disposition to recall or explain it. Previous to that he had said nothing which excited a feeling of anger. If he imagined he was saying any thing new

—any thing which had not been heard from every stump in Georgia, Alabama, and Mississippi—he knows but little of the contest through which the Union men of the South have recently passed. His mode of assault was too familiar to me to cause annoyance. I had met it again and again, and expected to meet it here.

If I had been permitted to conclude on yesterday, I should have said other things quite as unpleasant as those to which he has already listened; but a night's reflection has satisfied me that enough has been said, and that, however much he may deserve it, it does not become me to utter more. I shall therefore confine myself to a defence of that consistency he has arraigned, and, in the course of my remarks, I shall endeavor to show that he knows nothing whatever of the subjects on which he has undertaken to speak. He promised in the outset to prove that, in 1850, I was a thorough State-rights man, and in December, 1851, (the date of my speech on Mr. FOOTE's resolution,) I was a federal consolidationist. To establish this he quoted an extract from a speech of mine which he either could not or would not understand. In that speech, the term "sovereign" is indeed applied to a State, and there is a denial of the right of the Executive to use force. It was based upon a letter of the President, in which he claimed the right to employ the military of the United States against Texas. I denied it, and said "the law is plain and clear—individuals, not States, are the subjects of coercion." I had the law before me at the time, and meant only to assume the ground taken by General Jackson in the memorable nullification era. When South Carolina proposed to nullify a law of the land, General Jackson applied to Congress, and said that the powers vested in him were not sufficient to subdue the forcible resistance of a State, and therefore he asked for the passage of a law to meet the emergency. The force bill was the result. So I held, and hold now, that the Executive has no power to resort to coercion in the event of resistance by a State; but Congress has, and Congress may, at any time, authorize him to do so. It will be difficult for the Senator to find any language of mine denying this right on the part of the law-making power of the Union. It is a right essential to its very existence. Take it away, and our confederacy would be worse than the old Amphycionian league. If there is no power to coerce a State, the new States might appropriate all the public lands within their respective limits. The Atlantic States might seize upon the revenues from imports. One State might block up the navigation of a particular river, and another abolish the collection of debts in the United States courts, or the punishment of offences against the United States laws. The Republic could not endure for a year, unless Congress possessed the power of coercion. With a characteristic attempt at special pleading the Senator has seized upon my use of the words "sovereign State," and thus seeks to convict me of inconsistency. Why, sir, in the speech to which he professed to be replying, I admitted the too loose use of these words. In common with every other public man in the country, I have often spoken of the States as "sovereign;" and it is possible, as I have before said, that we have thus contributed to the errors which pervade certain portions of the country. The ordinary reader, when he sees the word sovereign in the speech of a public man, will

attach to it the meaning given by the dictionaries, and it will not always be present to his mind that, when we so speak, we speak of a sovereignty circumscribed by the Constitution. I have again and again asserted that some of the highest and most essential attributes of sovereignty have been taken away from the States; and who will dare to deny it? The Senator from South Carolina has not ventured to do so. Of the many cases I have enumerated, he has seized upon one which he takes to be the weak point, and labors to prove that I am mistaken in asserting a State cannot punish treason against itself. In the exultation of his fancied success, he adds, if I am right in that, it is indeed true the States are not sovereign. Well, sir, I shall show that I am right, and that the Senator, in his ignorance of the Constitution, has made an admission fatal to his case. He enumerates, as conclusive of the question, certain States which have passed laws for the punishment of treason. Now, sir, I have not been guilty of the folly of asserting that a State may not call murder treason, and so punish it. I have not denied but that she may designate in her laws a riot as treason, or a forcible rescue as treason. But what I do say is, that a right to punish treason, as appertaining to sovereignty, is something which is absolute, uncontrolled, and unlimited. Any restriction whatever of the right is its destruction. There is one *kind of punishment* for treason a State cannot inflict. There are cases in which she cannot punish at all. One of the most common modes of punishing treason is by bill of attainder. The Constitution has expressly taken away from the States the right to pass bills of attainder. Here, then, is a restriction which, according to his understanding, as well as to mine, is a destruction of the right as an attribute of sovereignty. But let me give a stronger illustration. I read first from the Constitution :

“This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.”

I will suppose a case which has once occurred. I will suppose that Congress passes a revenue law which gives great offence to the authorities of South Carolina. The legislature, sitting in the interior of the State, declares it a nullity, and arms a portion of the citizens to resist it by force. The officers of the United States, in the city of Charleston, call upon the citizens to aid them in the execution of the law. In obedience to the supreme law of the land that aid is given, and force repelled by force. Will any one pretend that, for thus resisting the constituted authorities of the State by arms, a citizen could be rightfully punished for treason? They might hang him if they caught him; they might doubtless indulge in all those delectable amusements which the Senator painted for us yesterday; but then it would be a question of might, not a question of right. If carried before any just judge, he would only have to point to the Constitution, and then to the law he obeyed, to insure his discharge. No judicial officer, with a proper regard for his oath, would hesitate to declare that a State had no power to punish a citizen for obedience to the laws of the

Union. The Constitution must first be destroyed. When that is done—when a successful revolution has enabled a State to resume the powers with which it has parted—then, but not until then, will the laws of the United States cease to be supreme, and obedience to them may be punished as treason.

There is a tribe of constitutional exponents in our land who have learned by rote the words federalist, consolidationist, and submissionist, and who apply them indiscriminately to every one whose arguments they cannot answer. From such men I have nothing to expect but detraction, and to such men I do not address myself. I look to the calm, good sense of the people to rebuke the dangerous heresy that we have a national Government in name only, not in fact—a Government equally powerless for its own protection or the protection of the citizen—a Government which the whims or the caprices of every petty State may, at any moment, dissolve, and involve the land in all the horrors of anarchy.

The Senator has read, with great seeming satisfaction, a declaration of mine, that wherever Alabama went I would go with her. Certainly, sir, I did use such language, and I repeat it now. But it by no means follows that I believe Alabama has a *right* to secede. It only follows that my affections are there, and whether right or wrong, I shall go with her. Upon the same principle I would assist a brother or a friend if I found him engaged in a personal difficulty, without stopping to inquire into the cause of the quarrel. I shall do, as I have done, all I can to prevent Alabama from rushing on her own destruction; but if those efforts fail, her destiny must be mine. I shall go, however, with my eyes open, claiming no right of peaceable secession, but asserting the right of revolution—aright to be enforced by the armed hand, and the armed hand only. The difference between the Senator and myself is, that I hope the time may never come when I shall be compelled to choose between the Union and my native State. Hence I have sought to remove all causes of bitterness, and to quiet that restless feeling of discontent which must ultimately lead to such painful results. The Senator, on the other hand, has been engaged in the opposite task of creating prejudices and exciting animosities where none before existed. I shall leave it for others to decide which best becomes the character of a patriot.

In his indictment against me, the Senator has included a resolution of inquiry which I had the honor to submit to the Senate in the performance of my duties here. This is a striking illustration of that Senator's peculiar mode of reasoning. Who, save the Senator himself, ever dreamed of attributing opinions to another, and proving it by a resolution of inquiry? In the very nature of things such a resolution implies that we are in doubt, and want information on which to base an opinion. But suppose I did believe at that time, as indeed I did, that the President had interfered in the affairs of California to a censurable extent, there is nothing in my present position at all inconsistent with it. The President denied it. My old friend, General Riley, denied it. The proof sustained them, and the prosecution was abandoned. I know of no one man upon whom a heavier responsibility rests for the admission of California than R. BARNWELL RHETT himself. The journal of the other House will prove that if California is now a State, the southern members of that body, including the Ser-

ator, are accountable for it. They had it completely in their power to defeat the appropriation bills entirely, or compel the adoption of the Senate's amendment, known as "Walker's amendment." If the Senator had merely resorted to the legislative expedient of making dilatory motions, and calling the yeas and nays, California would have had a territorial government, and thus all the angry discussions, upon her admission as a State, would have been avoided. A northern man [Mr. WALKER, of Wisconsin] proposed a satisfactory settlement. The Senate passed it; the House rejected it; and the Senator from South Carolina, then a member of that body, made no effort at resistance. He who is now anxious to resort to violence and bloodshed shrank even from adopting a legislative expedient—unusual, indeed, and rarely to be justified, but still far preferable, as a preventive, to revolution as a remedy. The people of California did not want a State government, for the support of which they would necessarily be loaded with taxes. They desired to be organized into a Territory, the expense of which would fall on us, not on them. They adopted a constitution and form of State government as a last resort, because they could adopt no other, and their necessities demanded a government of some kind. Upon the principle that we are responsible for acts of omission as well as commission, the Senator is chargeable with a full share of guilt for whatever wrong the admission of California may be supposed to inflict.

It is well known to you, Mr. President, that I have never justified the admission of California; and in that respect I have no inconsistencies to answer for. In the last speech I made upon the Compromise, I stated distinctly and emphatically that my original opinions were unchanged—that I submitted to it because among other things resistance was a folly and a madness. Two of the most powerful southern States had given overwhelming majorities for the bill. Did the Senator expect me to go home and preach the duty of secession from Tennessee and Kentucky—from Virginia, Maryland, Texas, Missouri, and North Carolina—from all but the few States usually designated as the 'cotton States? Did he expect me to aid him in the establishment of a little confederacy upon the Gulf, within whose narrow limits such men as the Senator might figure conspicuously? I resisted the passage of the law; when passed, and by the aid of southern men, who had as good a right to judge as I had, I submitted to a decision I could not prevent.

The Senator says I denounced the admission of California. It will be difficult for him to find such language in any speech of mine. But suppose such was the tendency of my argument, was I to insist on that opinion as infallible in opposition to the opinions of so many southern men older and wiser than I am? My own construction of the Constitution would of course govern me so long as I was called on to vote or speak in this Chamber. But when the matter had passed from us—when it became a question of submission or civil war—I was fully at liberty to distrust my own judgment, and to hesitate before I advised a resort to that last dreadful alternative. I trust that I am free from the arrogance of supposing that my judgment is infallible, and that no man can be an honest and incorruptible friend of the South whose opinions do not coincide with mine. I did not believe, and I

would not say, that many of our best men (yourself included) were either traitors to the South or ignorant of the Constitution. I thought it quite as likely that I might be mistaken as that you were, and acted accordingly.

The Senator says that at one time I counselled a dissolution of the Union. Not so. The very speeches from which he has read prove the utter falsity of the charge. On the 11th February, 1850, in the speech from which he has read, I used this language:

"I know that to me individually there has been attributed a deliberate design to dissolve this Union. Great God! what have I to gain by such a course? I have no bitter enmities against any section or against any party. I have no disappointed aspirations urging me on to desperate expedients. There is not in this broad land a single individual with fewer motives to disturb its harmony. I have friends, and warm ones, in all its parts. For a long time I commanded a New England regiment; for a long time I was associated with northern men in all the scenes which make up the changeful drama of a soldier's life. Does any one suppose that I can contemplate with satisfaction the possibility of standing face to face as foes, with those by whom I have so often stood side by side as friends? The charge is a gross absurdity; but even absurdities may come to be believed by constant repetition."

How was it possible for me to have used stronger language in repelling the charge of disunion? It seems to me that it would have been impossible to select words of plainer import.

Again, sir, I said:

"Much of this I cannot prevent; but when the charge is made here in my presence that I am a factionist, or that those who act with me are so, I shall repel it in terms which admit of no double meaning. Sir, I do not believe that there is a single man in the entire South who desires disunion for himself."

Here I not only repelled it for myself, but for all who were acting with me. At that day I believed what I said. At that day I believed there was not a traitor to be found in the broad savannahs of the South. I regret that I have been compelled to change that opinion. In that respect I have been inconsistent; and if the Senator had based his charges upon that ground, I should have entered no defence. It is with pain and mortification I acknowledge there are those among us who have avowed not merely a willingness but an anxiety to level this fair fabric with the ground. I know that in the eyes of such men I have committed a deadly sin. But it is one of which I have not repented; and I now repeat, that as long as a hand of mine can be raised to prevent it, not one stone, not one atom, of that glorious edifice shall be removed. Another extract, and I shall leave this branch of the subject. It is from my speech of the 20th of February, 1850, in reply to Mr. CLAY, of Kentucky:

"The Senator is mistaken if he supposes he can say any thing of the possible consequences of disunion which has not occurred to us. We have often manifested our sense of the evils of disunion, and

never more so than at the present time. We do not mean to dissolve," &c.

After these emphatic declarations, made at all times, not only during the pendency of the Compromise measures, but before their introduction—not made after it was ascertained that southern men had voted for and sustained them, but before I could possibly know what course they would pursue—what right did any man have to suppose that I would advocate secession both from the North and a large portion of the South? The truth is that no man did believe it. No one at that day dreamed of disunion, save as a desperate remedy for intolerable oppression. None looked to it as a thing to be desired. It was contemplated by all with a shudder, although some of us certainly believed it might become a necessity. For whatever violent language may have been used by me or others, there was an excuse in the attending circumstances not now to be found. We came here claiming certain rights and privileges which it was alleged had been denied us by the previous Congress, of which the Senator from South Carolina was a member. In that state of the case, smarting under what we believed to be serious and aggravated wrongs, it was not to be expected that the language employed in our speeches would be characterized by great moderation. In that speech of mine upon the Vermont resolutions, which has so delighted the Senator from South Carolina, I did comment in strong terms upon many acts of injustice which had been perpetrated upon the South. I took occasion to warn northern men that they must not only pause, but they must retrace their steps. They did so. Previous to that time every northern State, except Iowa, had instructed their Senators to vote for the Wilmot proviso. Before the session was half over the proviso was dead. In some cases the resolutions of instructions were repealed, and in others those thus instructed took the responsibility of voting for territorial bills without it. We had no bill for the recapture of fugitive slaves. That Congress passed a bill in all respects such as the South demanded. We had been ever since the date of the Missouri Compromise excluded from all territory north of 36 deg. 30 min. This restriction was removed, and a territorial government established for Utah whose southern boundary line is 37 degrees, containing an express guarantee that it might come into the Union with or without slavery, as her constitution might prescribe. The spirit of fanaticism, which had been abroad at the North, everywhere began to disappear, and the action of both legislatures and conventions indicated a determination to respect the constitutional rights of the South. There are now two Senators on this floor whose election was a consequence of this happier state of feeling. I mean the Senator from New Jersey, (Mr. STOCKTON,) and the Senator from Rhode Island, (Mr. JAMES.) I know they will not take it unkind in me for thus referring to them, and adding, as I gladly do, that there are no two men in this body more firmly determined to mete out equal and exact justice to every section of the Union. Could I, with any regard to truth or decency, with these facts staring me in the face, persist in a course of denunciation, which could only have the effect of exasperating those who were conscious of doing all they could to merit kinder treatment? Such a course might, indeed, have been gratifying to the Senator from South Carolina, and to those who,

like him, seek a dissolution of the Union; but it would neither have been creditable to me nor acceptable to the honest and patriotic people I represent. If the same state of things existed now which did exist at the date of that speech, it is quite possible I might employ language as strong as any then used. But that state of things has passed away, and it is the part of a good citizen to bury with it all memory of the bitterness to which it gave rise.

The Senator has been exceedingly cautious not to touch that part of my argument which relates to the territorial bills. Even he felt that was impregnable, and he chose rather to indulge in complaints of my laudations of the Union. On that, as on other points, he misunderstands me. I sing no hosannas to a Union which is one in name only, not in spirit. I do not wish to see this people tied together by a hateful bond, while discordant interests and rankling jealousies gangrene its separate parts. It was not such a Union which Washington and Jackson meant when they urged us to preserve it. They wished, I wish, all of us should wish, a Union of a different kind, in which each member cherishes an habitual respect for the rights of others; in which all are taught to believe that it is impossible for any of its members to deliberately intend to do wrong; that some charity is due to errors and mistakes; that injustice must be temporary only; that a common interest, the recollections of past glory, and the anticipations of future greatness, cannot fail in the end to correct whatever evils passion or prejudice may have spoken into being. It is for a Union of this sort only that I have been earnestly pleading with my countrymen. The Senator has been as zealously engaged in seeking to destroy it. His mission is to inculcate jealousies of the North. Addressing himself to those who have not the time or the opportunity to investigate for themselves, he says that the people of the northern States are a horde of robbers, whose chief occupation consists in devising schemes to rob the South; that there is among them a reckless disregard of law which prevents the execution of congressional enactments, and that murder has ceased to be a punishable offence, if committed upon a citizen of the South in pursuit of his property. It is not surprising that he has thus succeeded, to some extent, in estranging one portion of the country from the other. His co-laborers at the North have also met with some success. It has thus become the duty of every patriot to address himself to the task of removing these discontents, and to inculcate the high duty of loving one another. Let the voice of the demagogue everywhere be answered by truth and reason, and we shall soon witness a better and a brighter era.

With his usual inaccuracy, the Senator from South Carolina has ventured to assert that no State has ever been admitted into the Union without a previous act of Congress authorizing the adoption of a constitution and form of State government. The Senator might have learned, even from my speeches, if he had read them for any purpose but to garble and distort, how utterly at variance this assertion was with the facts. I had occasion once before to refer to all the acts of Congress upon the subject, and now read from the tables then prepared, the accuracy of which cannot be questioned.

In Vermont there was no act of Congress authorizing the people to form a constitution and

State government. In Kentucky there was none. In Tennessee there was none. In Maine there was none. In Arkansas there was none. In Michigan there was none. In Florida there was none; and in Iowa there was none. Here, sir, are nine States which, according to the logic of the Senator, are illegally and unconstitutionally members of this confederacy. Some of them were admitted immediately after the adoption of the Constitution, when the framers of that instrument themselves held seats in Congress; but no one heard, at that day, of the miserable quibble that "States" only could be admitted. The practice of the Government, from its foundation, has been to look to the attending circumstances. In some cases they have passed acts authorizing the establishment of State governments; in others they have not. They have always claimed and exercised the power of dispensing with formalities, and of being governed by what seemed to be the public good.

The Senator from South Carolina exultingly informed us that he was performing the same operation upon me that I had performed upon Mr. Foote. I think he has found out by this time that he had a troublesome subject. The operator himself has not escaped without suffering. But he may console himself by the reflection that he is not alone. He is not the first man who has undertaken the task and regretted it before it was concluded. I did quote extracts from some of Mr. Foote's speeches; but it was done in a spirit of kindness and courtesy—with none of that rancorous bitterness which characterized the effort of the Senator from South Carolina. It was sudden and unpremeditated—not brooded over for months. I did not hug to my bosom a cherished hatred, and watched an opportunity to stab the reputation of another.

The extract from my speech which has been selected by the Senator as the theme of his discourse is not the part which rankled. He has chosen to dwell upon that, but I know well where the sting was found. I did not express any great admiration for his abilities, and that is the wound his vanity could not pardon. Sir, he had no right to complain of my denouncing, in strong terms, his disunion sentiments. I but followed an example he had set me. When John Q. Adams presented a petition in the House of Representatives, praying a dissolution of the Union, a resolution was immediately introduced to expel him. After much discussion, Mr. Botts, of Virginia, moved to lay it on the table. The Senator from South Carolina voted against the motion—thus showing that in his opinion Mr. Adams ought to be expelled for merely presenting a petition in favor of disunion. I have not said the Senator ought to be expelled—I have said nothing of him as strong as that vote said of Mr. Adams; and yet the crime of the one was nothing compared to that of the other. Mr. Adams acted in accordance with what he believed to be the right of the people to be heard by petition. Mr. RHETT for himself proclaims, again and again upon this floor, that he is a disunionist. I shall not indicate what punishment he deserves if measured by his own standard.

The Senator arraigns my vote upon the boundary of Texas, and, as usual, falls into error. Indeed, sir, while listening to him, I felt utterly astounded that, after so long a preparation, he should have

been so wholly uninformed. The Texas bill, for which you and I voted; never formed a part of the "omnibus." It was introduced by the Senator from Maryland, [Mr. PEARCE,] after the "omnibus" was killed. It established for Texas totally different boundaries, and gave to her nine hundred miles on the Rio Grande, and enough territory for two States more than Mr. Calhoun said belonged to her.

The Senator descanted on the fact that I said I would not vote to repeal the bill abolishing the slave trade in the District of Columbia, and announced with great emphasis that it is not the mere fact that the slave trade is abolished in the District of Columbia to which he objects, but that it is the penalty affixed to a violation of the law. Does not that Senator know that that very penalty has been affixed to it since 1801? Does not that Senator know that the only effect of the bill which passed at the last Congress was to extend the provisions of the law of 1801 to the citizens of Maryland? It was copied word for word from the Maryland law, which had been extended to this District ever since 1801, except as to Virginia and Maryland. There has not been a time since 1801 when that Senator or any citizen of South Carolina could have brought a slave here and offered him for sale without incurring the penalty of emancipation. Yet this is now raised as a bugbear with which to frighten grown men at the South. It has not alarmed us much heretofore; we have submitted to it with a very great degree of patience. It is too late now, when it is only extended to the State of Maryland, for us to raise complaints upon the subject. That bill of 1801 was approved by Thomas Jefferson, and Maryland, the only party in interest, heartily approves of the law of 1850.

There is another matter to which I must refer. The Senator from South Carolina chose to read an extract from my speech upon which he put a construction which he knew, or ought to have known, it would not bear. In reference to Mr. Calhoun I said:

"He was never a secessionist, and I am authorized to say that the proof of it will be before long given to the world. He regarded the attempt of a single State to go out of the Union as madness, and died in that opinion."

I did not mean to assert that Mr. Calhoun did not believe there might be a right of secession. I used the term "secessionist" as the Senator understands it; and I state again, that Mr. Calhoun did hold the opinion that the secession of a single State would be madness. In a conversation which I had with him but a short time previous to his death, he said:

"We could have carried matters much further than we did in 1832; but then Tennessee would have been arrayed against South Carolina, Kentucky against Virginia, and other southern States against each other, and that would have defeated the very object we had in view. My object was to consolidate the whole South, to unite them upon one platform; and I never would do any act which could estrange one portion of them from another."

That was his policy, honestly entertained, however wrong I may think it to be. But as for the secession—the peaceable secession—of a single

State, he always knew it was madness. It was something which his great mind could not comprehend.

I am charged with saying, on a former occasion, that disunion might be peaceable. True, I did say so, and I say so again. If the whole of the southern States should determine to leave the Union, I think they would be permitted to go peaceably, because any attempt at coercion would be folly. But even then I have no idea that peace could exist for any length of time. With a long line of frontier upon which posts and garrisons would necessarily be kept up by both parties, causes of dissension would soon arise, and war, with all its evils, would soon be upon us. That, however, is a totally different thing from the attempt of one, or two, or three States to go out by themselves. In that event, force would certainly be used. Those whose sympathies were on the side of the invaded State would rush to her rescue, and thus the whole Republic might become involved in a war which would terminate only with the termination of our liberties.

The Senator complains that I went from Washington "a submissionist." I did go from here prepared to submit to the law, and to perform my part as a good citizen under it. I went from here with the impression that, although we had not obtained all we asked, still we had obtained something with which we could afford to be content. When I reached there I found demagogues haranguing the people all through the State, endeavoring to persuade them that they had been wronged, outraged, and robbed, and I did there what I hope I shall do on all similar occasions—I dared to get upon the stump and tell them the truth.

The August election proved that the people were with me; for there was not one solitary man in the whole State of Alabama who did not, before that election closed, deny that he was a secessionist or disunionist. A man could not have been elected constable in any respectable beat in the State who would have proclaimed such sentiments as have been uttered by the Senator from South Carolina.

Sir, I am a submissionist, and the people of my State are submissionists; but we are southern rights men nevertheless, better southern rights men than those who not long since were warring against us, but who now come here to take seats cheek by jowl with PRESTON KING, RANTOUL, CHASE, HALE, and SUMNER. We have manifested our devotion to the South as well as our devotion to the Union, and we will do it again whenever a proper occasion arises.

And now, Mr. President, I leave the Senator from South Carolina to the enjoyment of all the laurels he has acquired by his assault upon me.

Mr. RHETT. Mr. President, the course of the Senator from Alabama is precisely that which I expected it would be. I anticipated it in a conversation with a friend before I spoke. He had, without any cause on my part, stigmatized me here on this floor as one guilty of treason and knavery. I knew very well that a man who would commit such an offence, who would insult without provocation, would not hesitate, under the exposure I intended to make, to add insult to insult. Therefore, when

he yesterday pursued the course which he did pursue, it was precisely what I expected.

I did not, as the senator charges, brood two months over his attack. He heard what I stated on this point in his presence in the Senate. I stated that I neither knew nor heard of what he had said concerning me until just before I was leaving my home in South Carolina to come to this city. On my arrival here I waited for the resolution, on which he had attacked me, to come up for consideration. Seeing the course of things, I was in no hurry to read his speech. But, not many days since—about ten days, I suppose—I got the Senator's speech from the folding room and read it. I sent, also, for a copy of the speech of the Senator from Michigan, [Mr. CASS,] who, I heard, had honored me with his notice. It did not require much brooding to determine my course. I made up my mind that it became me, as a man and as a Senator, not to allow these imputations to pass unnoticed in the Senate. I was equally convinced that my reply to the Senator from Alabama would be followed by additional and probably aggravated insult. If he insulted me gratuitously, what right had I to expect that, when exposed before the Senate, he would be more forbearing? He has come up precisely to the estimate I had put upon his character.

The Senator from Alabama denies that he meant to charge me with knavery and treason. Now I will read his words again to the Senate, and then I will leave the Senate to judge what their import is; and I will call upon the senator from Alabama to say, if that is not their import, what they do mean. Here is what he says:

"There was the Senator from Massachusetts, [Mr. SUMNER,] the Senator from Ohio, [Mr. CHASE,] and the senator from New Hampshire, [Mr. HALE,] gathered about him in a sort of fraternal ring, while the countenance of the Senator from New York [Mr. SEWARD] was radiant with gladness. Thus was exhibited the spectacle of an extreme southern Senator denouncing, in no measured terms, the government of his country, and declaring himself a disunionist, on account of alleged wrongs heaped upon him, with four as rabid abolitionists as this land contains, drinking in his words with eager approbation—*applauding, cheering,* and encouraging him. All this was nothing new to us, however strange it may appear to the plain and honest yeomanry of the country. Nor was it, when calmly considered, at all unnatural—

'A fellow feeling makes us wondrous kind.'

There is a sympathy in treason as well as in knavery; and those who are earnestly striving to accomplish the same end, need not quarrel about the separate means employed."

Here the Senator charges that there is a sympathy between these Senators and myself upon the matter of disunion; and he then observes that there is a sympathy in treason as well as in knavery. Is not that plainly charging us with treason and knavery? I will leave the Senator from Alabama to explain if that is not his meaning of his words.

Mr. CLEMENS. There is not a Senator on this floor who does not understand it precisely as I do. There is no more charge of knavery against him than there is against the Senator from Massachusetts, or the Senator from Ohio—against whom I never meant to make such a charge. There is a

charge of disunion; and he had himself avowed that he was a disunionist.

Mr. RHETT. If that is all the Senator has to say, his words stand unexplained. I ask him to explicate from his *words* I quote, another meaning than that I put upon them. He does not attempt to do so. He says that they do not contain the charge I allege they do contain. That is denial; but it is no proof. In his failure to show that they contain any other meaning than that I put upon them, he virtually admits that he cannot make his disclaimer consistent with his words. His words mention persons—declare that they are in concert to accomplish a certain end, and then assert that “there is a sympathy in treason as well as in knavery.” The Senator can take his choice between two alternatives. He was either using words without meaning, and thus talking nonsense to the Senate, or he did by his words make the charge I deduced from them. No man of sense can draw any other meaning from his words.

Now, Mr. President, I admit that this was a gross and wanton insult; and I admit, too, that, acting upon “the code of honor,” I ought not to have waited a month, or a day, or a moment, before I had required him to retract or fight. That is the course we are accustomed to pursue in the State I represent. I was perfectly aware of my position. I did not require the Senator, from Alabama to tell me what I ought to have done, as a man of the world and a man of honor. But, sir, I am a professor of the religion of Christ. I did not think it proper to challenge the Senator for two very important reasons. The first was, because I had another object in view, and still have it, far above the vindication of myself from any personalities or insults that the Senator may have offered. Whilst vindicating myself on this floor, I would also vindicate the great cause with which I am identified. I have very feebly indicated my purposes in my defence, if the Senate has not perceived that I have used the Senator from Alabama, if not for my scorn or laughter, to bring up again the wrongs perpetrated by this Government upon the South, and the consequent dangers which surround her; and again to place forward for public consideration those great conservative principles arising from State rights and State sovereignty, which alone can give her peace or safety.

Sir, without sovereignty in the States—without the right of secession in the States—we live under a consolidated despotism; and I am in favor of the exercise of the right of secession, if for no other purpose, for the purpose (as I intimated in the speech I delivered the other day) of testing the form of government under which we live.

But my second reason for not calling the Senator from Alabama into the field, was of a still higher and more controlling nature. For twenty years I have been a member of the church of Christ. The Senator knows it—everybody knows it. I cannot, and will not, dishonor my religious profession. If he, or any one else, supposes that I am so much afraid of his insults, or the opinion which requires them to be redressed in the field, as to be driven by them to abandon the profession of twenty years, he is entirely mistaken. I frankly admit that I fear God, and that I fear him more than man. Although desirous of the good opinion of all men, (for our usefulness is very largely dependent on the good opinion of our fellows,) we can never ob-

tain it by an abandonment of the principles we profess. True courage is best evinced, by the firm maintenance of our principles amidst all temptations and all trials. I did not assail the Senator from Alabama; he assailed me. I have defended myself; and in doing so, if he has seen any fear of him indicated by me, he is welcome to all the pride and gratification it can impart. If firmness in maintaining even worldly principles, or a course of worldly policy, be any indication of courage, I might not suffer from a comparison with even the Senator from Alabama. I have not here threatened and tried to bully the North; and when the North will not be bullied, and puts upon me the outrages and dishonors to which I had declared resistance, I have not quietly submitted, and then begged the “*humble privilege*” of supporting them. I have not afterwards turned round upon one of my associates who, formerly battling with me, now would not yield, and accused him of fear, of cowardice. Sir, I profess the possession of no extraordinary courage; but I trust I have the courage to support the right and defy the wrong, although backed by an overwhelming public opinion, North and South. I am here alone, but, I trust, alone without fear. Have I quailed before any of you? Senators, answer if I have ever done so.

The Senator from Alabama says, that he did not mean, to say, that the Senators he speaks of in his speech made any noise in cheering, applauding, and encouraging me. He says he supposed everybody understood him to mean, that they did not make any noise. Those who were present here, and knew that there was no noise by applause and cheering, might have known that the fact was not so. I will not say they could have known his construction of the words he uses; for the words themselves are too plain for misunderstanding. What is the meaning of applauding and cheering? If the gentleman will turn to the dictionary, he will find that to applaud, is to clap with the hands, strike with the feet, or make some noise to indicate approbation. And what is cheering in a popular assembly or deliberative body? Why, intimating by the voice approbation of what is said. The Senator says, these gentlemen not only cheered and applauded me, but that they also encouraged me. If he meant that to applaud and cheer were equivalent to encouragement, why put applaud and cheer before encouragement? He has taken that speech, and sent it down into Alabama. He sent it to the yeomanry who, he says, will be astonished at the scene he depicts. I have no doubt, that they will be prodigiously astonished to hear that abolition Senators on this floor applauded and cheered me when I spoke, and probably will never be undeceived as to the truthfulness of what they read in his speech. The Senator must do one of two things to get rid of the predicament in which he has placed himself. He must stultify himself as to his knowledge of the English language, or he did mean to say that these Senators did applaud and cheer me here in the Senate. Was that assertion true? It is totally untrue. It is untrue in fact, and untrue in the reasons he assigned for its existence. He has not attempted to show that the words he used meant any thing beside their plain, undoubted signification.

He says further, that I acknowledged myself to be a traitor. I acknowledge myself to be a traitor! When and where? Here is another of the Sena-

tor's facts! When the late Senator from Mississippi [Mr. FOOTE] thought proper to assert that secessionists were traitors, did I stand still here under the imputation? I could not be a traitor, under my view of the Constitution, unless I was like the Senator from Alabama, a rank consolidationist. Standing, as I do, a citizen of South Carolina, owing allegiance to her as my sovereign, I cannot be a traitor in obeying her mandates. And if she thinks proper to secede from this Union—as she rightfully has the power to do—my duty and my allegiance are due to her. Sir, the traitors to this Government, if any there be, are the consolidationists. They are traitors against the States, to whom alone they owe allegiance, because they deny their sovereignty. It is they who would break down the whole fabric of the Government, and make it simply an Austrian despotism, in which their reserved rights would be taken away from the States. I do not say they are traitors; but I say, between the two classes of politicians—the State-rights men, who maintain the rights of the sovereign States, affirming that they are parties to the constitutional compact, and have a right to secede from it whenever they please—between them and those who deny the right of the States to secede, who deny that the States are sovereign, and contend here for a consolidated despotism—if there be treason, it is on the part of the latter. If any are traitors, they are the traitors—foul, usurping traitors to their States.

The Senator from Alabama further says that I brought here into the Senate a *private* affair—the statement concerning him which Judge Buford and Mr. McCall have put forth in Alabama for more than a month past. When I came to this city I found this statement here. The Senator says it is a private matter. It was no private matter. It was a matter affecting the representative of a sovereign State, and the dignity of this Senate. And while he talks of expulsion, and says that I wished to vote to expel John Quincy Adams—an assertion entirely gratuitous—I can tell him that, if the facts which these gentlemen assert, and have published in the public papers, be true, and they had been brought forward before the Senate when he came here to take his seat, he never would have been received among his compeers in this illustrious body; no, sir; never. And I am not sure if he had taken his seat, and a resolution had been offered to expel him from the Senate, but that a majority of this body would have passed the resolution. On this point I will take nothing for true but what the honorable Senator himself admits. Mr. President, you know Judge Buford. I know you do; and a more honorable, and upright, and truthful man does not live in this broad land. I know him. I do not know Mr. McCall. But now, admitting that there is a mistake as to the fact that the Senator gave a written pledge to uphold the Whig party, which these gentlemen assert was seen and read by them, signed by him, what is it that I understand the Senator to admit? I understand him to admit that which I asserted, that, at the caucus of the Democratic party in Alabama, he and Mr. Fitzpatrick were the candidates for the Senate, and he was defeated.

Mr. CLEMENS. No, sir; I never admitted any such thing.

Mr. RHETT. Were you not voted for in the caucus of the Democratic party?

Mr. CLEMENS. If you wish to know the facts in relation to the matter, I will tell them to you.

Mr. RHETT. I wish to know the truth.

Mr. CLEMENS. Some fifteen or twenty members of the legislature got together for the purpose of consultation, not to hold a caucus. Mr. Fitzpatrick's friends, finding they had a majority of those present in his favor, turned in and nominated him. The very same day that caucus met, and rescinded their resolutions. There never was any more of that; and the Democrats who voted for me represented a majority of ten thousand of the voters of the State.

Mr. RHETT. I wish to know the truth of this matter. I understand the Senator now to say that there was no caucus of the Democratic party.

Mr. CLEMENS. There was no regular caucus. A few members met for another purpose, and the friends of Mr. Fitzpatrick, being a majority of those present, nominated him; but the next day there was a caucus, and the other resolutions were rescinded.

Mr. RHETT. Well, Mr. Fitzpatrick was the nominee of the Democratic party. Was not that true?

Mr. CLEMENS. He claimed to be so, but I denied it.

Mr. RHETT. The Senator, then, denies that a caucus was held, or that Mr. Fitzpatrick was the nominee of the Democratic party. He certainly was not its nominee. A Mr. Davis, a Whig in the Whig caucus, (who the Senator says is a man of honor, and was his friend,) was authorized by him to express his views and opinions to the Whig party at a Whig caucus. Do I understand that to be the case?

Mr. CLEMENS, (in his seat,) I shall answer no more questions now.

Mr. RHETT. As the gentleman has corrected me in one respect, I take it for granted he will correct me again if I should fall into error. He goes to the Whig caucus. He authorizes a friend, a Whig in the Whig caucus, to state his opinions on public matters. I say nothing about the written pledge said to have been given; but what is the result? The Whig party, as a party, come out and vote for him in the legislature, and he is elected a Senator of the United States; and, further still, they have been his supporters ever since. I do not wish at all to assert any thing concerning the Senator which is not true, but thus far I understand him to admit is true; and they place the Senator in a position very little different from that which the assertions of Judge Buford and Mr. McCall place him in. As to the conflict of veracity between the Senator and the writers of these letters, I leave that to the people of Alabama to determine. The facts asserted were not private matters. They were public matters—public men acting on great public interests, and affecting the well-being of a whole State, and the dignity of this illustrious body.

I shall not notice all the points the Senator has made this morning in his vindication, but only a few, rather on account of their public importance than for his discussion of them. I stated that the current of our legislation in admitting new States was, that Congress passed a law, previous to the State being admitted into the Union, for her to make a constitution and become a State; and that, after thus being a State, she was admitted into the

Union. That was my proposition. The Senator asserts that Florida and other States came into the Union without any such act. Sir, he is totally misinformed. Before those States came in there was an act passed by Congress by which they were authorized to form a State and to come into the Union. It is very true, as in the case of Florida, that the people had, previous to the act of Congress, made a constitution; but they did not come in here until Congress passed the law by which they were authorized to make themselves a State. Congress passed the law first. The people of Florida then adopted the constitution which had previously been made, organized themselves, and presented themselves here for admission. So it was with the other States. The question between the Senator and myself was this: He insisted that California was constitutionally admitted into the Union, because it was the practice, the universal practice, in this Government to admit Territories as States into the Union, and that the fact of their admission made them States. That was the proposition which he asserted. I said that, on the contrary, the practice had been that the Territories should be organized into free and independent States by the sanction of an act of Congress, and thus, being States, they were admitted into the Union, and that in this way only could the words of the Constitution be fulfilled, which says, that "new States may be admitted by Congress." The Senator from Alabama has not touched the point in his remarks which he originally supported and advanced, nor do his authorities.

The Senator says, that the abolition of the slave-trade in the District of Columbia, with the penalty of emancipation, was in force here before. If that was the case, will you, Mr. President, or any one else, be so good as to tell us why Congress passed any law at all as a part of the Compromise? Why should there have been so much contention as to the clause making emancipation the penalty of bringing negroes here for sale, if that was the law already? Here, again the Senator is at fault. We all know that there were in different parts of the city, slave-pens, as they were called, where slaves were openly brought in and sold. It was to suppress that evil the law was passed, with the penalty of emancipation.

The Senator from Alabama alleges he did not maintain that Mr. Calhoun was not a secessionist *in principle*, but only that he was against a State exercising that power. The Senator has forgotten his words. Here they are:

"John C. Calhoun and George McDuffie examined the resolutions of '98 and '99, for the *right of secession*, and could not find it. They found, as they thought, nullification. But nullification is itself a denial of secession."

Now, is not that affirming distinctly that John C. Calhoun never affirmed the right of secession? The Senator has forgotten his own speech. There appears to be a peculiar proclivity on the part of the Senator continually to bring in Mr. Calhoun as authority to support his views, but always with a misunderstanding or misrepresentation of his opinions. Speaking of the dismemberment of Texas, which he defends in his December speech, he says:

"The next measure of which complaint has been made, is the bill settling the boundary of

Texas. Well, sir, it so happens, that this also is a southern, not a northern measure. It was introduced by a southern man, passed by southern votes, and ratified by the people of the only southern State who had any direct interest in it. It further happens, that Mr. Calhoun, the great leader of the South during his life, has left on record his deliberate opinion that Texas never had a shadow of title to one foot of the territory we surrendered to the General Government. He asserted that the true boundary of Texas was the middle of the desert between the Nueces and the Rio Grande. We gave to Texas nine hundred miles on the Rio Grande, which, in his opinion, did not belong to her."

Here is a gross misrepresentation of Mr. Calhoun's opinions. Mr. Calhoun asserted that the Nueces was the boundary of Texas before we acquired Mexican territory by the Mexican war. It was upon the question of the Mexican war, when the boundary of Texas was disputed and disputable, that Mr. Calhoun said her boundary did not extend to the Rio Grande. The people of Texas and the Government here took the ground that Texas did extend to the Rio Grande. Hence troops were ordered to the Rio Grande, and the Mexican war arose. But when the war was ended, and, by a treaty, the Rio Grande was made the boundary of Texas by a map attached thereto, who ever heard Mr. Calhoun deny that the Rio Grande was the boundary of Texas? That which was before disputable; and occasioned the war, was settled by the war. And now, because Mr. Calhoun, previous to that settlement, expressed such an opinion as to the boundary of Texas, the Senator says that Mr. Calhoun was in favor of the dismemberment of Texas after the treaty was formed.

One word more upon an important subject, and I have done. The sovereignty of the States is of the very last importance. The Senator from Alabama, although he complains of the confusion of ideas and language in others concerning it, seems to me to have himself no very clear or distinct ideas of sovereignty. I agree with him that sovereignty must be the supreme authority in a State. He lays down the proposition, and I assent to it. But, how, then, does he talk of the States and the General Government being both sovereign? Who ever heard of two sovereignties in a State? One must be supreme; and that which is supreme is sovereign. Sovereignty is the supreme, ultimate authority. That authority, I maintain, resides in the States. And yet, here, because certain powers of sovereignty are exercised by the General Government, he claims that the States have surrendered all their sovereignty. A man has powers and faculties, and may use them in concert or subordination to others. Has he therefore destroyed himself? So with sovereignty. It is the highest authority of the land. But it may exercise its powers of sovereignty in concert with other States. It may do so by special treaty; it may do so in the form of Government in which we are. But is sovereignty therefore parted with or annihilated? Surely not. Certain powers of sovereignty are exercised together by the States through the General Government; but the States have not surrendered their sovereignty. They are still supreme, and may resume those powers whenever they think proper. Sovereignty cannot be divided. There cannot be two supreme authorities—that is an ab-

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surdity; and it is on that point that it seems to me the confusion of the Senator exists. He asserts that there is no sovereignty in the States; and, then, in the next breath, he says they are sovereign in certain particulars. They are sovereign in all particulars, or in none. This Government acts by their authority, and by no other authority, and they are thus sovereign; or this Government is the supreme authority, and they have no sovereignty. The distinction, which the Senator does not seem to understand, is between sovereignty and the powers of sovereignty.

I do not mean to go into the various matters of explanation concerning the speech which I made. I have put down the Senator from Alabama exactly in his own words. I have read to the Senate and shall print what he has said. It will be read. If his replies are sufficient to refute his own words, as I have placed them down, be it so. I only say that, according to my conception, he has failed in his effort. There is nothing, in my judgment, which the gentleman has said that refutes the antagonistic positions he took in his former speeches and in his December speech. They are totally inconsistent and irreconcilable. But if he can reconcile them, it is very well for him to do so.

Mr. President, when I rose yesterday, it was my intention to have addressed myself also to certain remarks of the Senator from Michigan, (Mr. Cass,) but my strength failed; and the controversy with the Senator from Alabama has taken up so much of the time of the Senate, that I feel it would be a trespass to detain them longer on these matters. I shall therefore reserve what I have to say to a more convenient opportunity, when I hope to address myself to the Senator from Michigan.

Mr. CLEMENS. Mr. President, I wish to add but a word or two. The Senator from South Caro-

lina says that he anticipated, when he made his assault upon me, that it would be repelled and met, as he terms it, by renewed insult. The Senator then placed himself in a very disagreeable situation, with very little provocation.

As for his reasons for not replying in the manner in which I thought he ought to have replied. I have only this to say: I am the equal of that Senator in all things—equal in place—equal in learning—equal in reputation—equal in the estimation of this Senate—equal in the estimation of the country; and I thought of course when he made his attack that he expected and desired it to terminate without the Senate. As to his being a member of the church, I never heard of that until last night. When I did hear of it I determined at once to use no more offensive expressions, although I could not help thinking that it ought to have prevented the provocation rather than proved an excuse for avoiding the consequences. How could I suppose that he was a professing Christian—that night after night he had laid his head upon his pillow with the prayer upon his lips, “forgive us our trespasses as we forgive those who trespass against us”—while he was cherishing in his heart of hearts a malignant bitterness which would have done credit to a fiend? How could I suppose that he was planning, even at the foot of the altar, a cold-blooded and deliberate assault upon the reputation of a fellow man?

As for the Buford letter, to which he has again alluded to-day, I do not mean to trouble the Senate with any remarks about it. It is a matter between me and my constituents, and I will settle it with them. Nor have I any reply to his criticisms on the words he has read. If he will not see, it is his fault; if he cannot, it is not my province to enlighten him.





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